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2002 Regular Session 2lr0386 CF 2lr1626

By: Anne Arundel County Delegation Introduced and read first time: January 16, 2002 Assigned to: Economic Matters Committee Report: Favorable with amendments House action: Adopted Read second time: March 12, 2002						
						CHAPTER
1 AN	ACT concerning					
2	Anne Arundel County - Alcoholic Beverages - Multiple Licenses					
3 FOI 4 5 6 7 8 9 10 11 12 13	R the purpose of repealing a provision that prohibits the Anne Arundel County Board of License Commissioners from issuing alcoholic beverages licenses, other than certain licenses, to certain restaurant franchisees; establishing that certain Class B alcoholic beverages licensees are eligible for certain additional licenses under certain circumstances; establishing that holders of certain Class B or Class H alcoholic beverages licenses that apply to restaurants located in certain areas are eligible for certain additional licenses; clarifying that a franchisor may not have certain interests in more than a certain number of certain licenses; requiring the Board to adopt certain regulations to define a certain term; and generally relating to the issuance of multiple alcoholic beverages licenses in Anne Arundel County.					
14 BY 15 16 17 18	repealing and reenacting, with amendments, Article 2B - Alcoholic Beverages Section 9-102(h-1) Annotated Code of Maryland (2001 Replacement Volume)					

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

20 MARYLAND, That the Laws of Maryland read as follows:

33

35

(i)

(ii) 36 (i) of this paragraph is sought is located within:

(beer, wine and liquor) license; and

1 Article 2B - Alcoholic Beverages 2 9-102. 3 (h-1)A IN ANNE ARUNDEL COUNTY, A current holder of a Class H alcoholic (1) 4 beverages license, OR A HOLDER AS OF JUNE 1, 2002 OF A CLASS B ALCOHOLIC 5 BEVERAGES LICENSE AS OF JUNE 1, 2002, in Anne Arundel County THAT HAS A 6 RESTRICTION PROHIBITING OFF-SALES, may be issued a second license by the Anne 7 Arundel County Board of License Commissioners if: The second license is a Class H (beer, wine and liquor) license or 8 (i) 9 a Class H (beer and wine) license; and 10 (ii) [The] EITHER THE restaurant for which the Class H license 11 under item (i) of this paragraph is sought OR TO WHICH THE ORIGINAL CLASS B OR 12 CLASS H LICENSE APPLIES is located within: 13 1. A suburban community center designated by Anne 14 Arundel County in accordance with Bill Nos. 36-96 and 70-96 of the ordinances of 15 Anne Arundel County; or One of the following locations as they existed on October 1, 16 2. 17 1999: 18 A. The Glen Burnie Urban Renewal Area; 19 B. The Parole Town Center Growth Management Area; 20 C. The Odenton Town Center Growth Management Area; 21 D. The Baltimore-Washington International Airport State 22 Priority Funding Area, as designated by Anne Arundel County in accordance with 23 Article 83A, § 5-1101(k)(6) of the Code; 24 A shopping center with a gross area of at least 1 million 25 square feet that is zoned C3 General Commercial by the zoning article of the Anne 26 Arundel County Code; or 27 The Route 198 corridor, consisting of properties located F. 28 within 500 feet of the right-of-way of Maryland Route 198, from Route 32 on the east 29 to the Prince George's County-Anne Arundel County line on the west. 30 A person who does not hold a retail alcoholic beverages license in 31 Anne Arundel County may be issued a maximum of two licenses by the Anne Arundel 32 County Board of License Commissioners if:

Each license is a Class H (beer and wine) license or a Class H

The restaurant for which one of the Class H licenses under item

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	Arundel County in accordance Anne Arundel County; or		A suburban community center designated by Anne Nos. 36-96 and 70-96 of the ordinances of		
4 5	1999:	2.	One of the following locations as they existed on October 1,		
6		A.	The Glen Burnie Urban Renewal Area;		
7		B.	The Parole Town Center Growth Management Area;		
8		C.	The Odenton Town Center Growth Management Area;		
	Priority Funding Area, as designation Article 83A, § 5-1101(k)(6) of		The Baltimore-Washington International Airport State Anne Arundel County in accordance with e;		
	square feet that is zoned C3 G Arundel County Code; or		A shopping center with a gross area of at least 1 million immercial by the zoning article of the Anne		
	within 500 feet of the right-of- to the Prince George's County-	way of M	The Route 198 corridor, consisting of properties located faryland Route 198, from Route 32 on the east undel County line on the west.		
18 19	(3) [A person part of a common franchise co		dependently owns and operates a restaurant that is ntity may:		
	(i) Be issued only one Class H (beer and wine) license by the Anne Arundel County Board of License Commissioners if the person did not hold a retail alcoholic beverages license in Anne Arundel County on January 1, 2000; or				
25 26 27	(ii) Be issued one additional Class H (beer and wine) license by the Anne Arundel County Board of License Commissioners, in accordance with paragraph (5) (1) of this subsection, if the person held a Class H (beer and wine) license in Anne Arundel County on January 1, 2000] A FRANCHISOR MAY NOT HAVE A DIRECT OWNERSHIP INTEREST, AS DEFINED BY THE BOARD, IN MORE THAN 2 LICENSES UNDER THIS SECTION.				
29 30	(4) The Boa under this subsection.	rd may n	ot issue more than 30 additional Class H licenses		
31 32	(5) The Annadopt regulations [to]:	e Arunde	el County Board of License Commissioners shall		
33	(I)	TO carry	out this subsection; AND		
34 35	(II) PURPOSES OF PARAGRAP		DEFINE "DIRECT OWNERSHIP INTEREST" FOR THE THIS SUBSECTION.		

- 1 (6) The Anne Arundel County Economic Development Corporation, in 2 consultation with the Board of License Commissioners for Anne Arundel County:

 3 (i) Shall conduct a comprehensive study of the impact of this 4 subsection on the economy of Anne Arundel County; and

 5 (ii) On or before January 1, 2006, shall submit its findings and 6 recommendations to the Anne Arundel County House Delegation, the Anne Arundel 7 County Senate Delegation, the County Executive for Anne Arundel County, and the 8 Anne Arundel County Council.
- 9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 10 June 1, 2002.