

SENATE BILL 258

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2002 Regular Session
2r1626
CF 2r0386

By: **Anne Arundel County Senators**

Introduced and read first time: January 23, 2002

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Anne Arundel County - Alcoholic Beverages - Multiple Licenses**

3 FOR the purpose of repealing a provision that prohibits the Anne Arundel County
4 Board of License Commissioners from issuing alcoholic beverages licenses, other
5 than certain licenses, to certain restaurant franchisees; establishing that
6 certain Class B alcoholic beverages licensees are eligible for certain additional
7 licenses under certain circumstances; establishing that holders of certain Class
8 B or Class H alcoholic beverages licenses that apply to restaurants located in
9 certain areas are eligible for certain additional licenses; clarifying that a
10 franchisor may not have certain interests in more than a certain number of
11 certain licenses; requiring the Board to adopt certain regulations to define a
12 certain term; and generally relating to the issuance of multiple alcoholic
13 beverages licenses in Anne Arundel County.

14 BY repealing and reenacting, with amendments,
15 Article 2B - Alcoholic Beverages
16 Section 9-102(h-1)
17 Annotated Code of Maryland
18 (2001 Replacement Volume)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article 2B - Alcoholic Beverages**

22 9-102.

23 (h-1) (1) A current holder of a Class H alcoholic beverages license, OR A
24 HOLDER OF A CLASS B ALCOHOLIC BEVERAGES LICENSE AS OF JUNE 1, 2002, in Anne
25 Arundel County may be issued a second license by the Anne Arundel County Board of
26 License Commissioners if:

27 (i) The second license is a Class H (beer, wine and liquor) license or
28 a Class H (beer and wine) license; and

1 (ii) [The] EITHER THE restaurant for which the Class H license
2 under item (i) of this paragraph is sought OR TO WHICH THE ORIGINAL CLASS B OR
3 CLASS H LICENSE APPLIES is located within:

4 1. A suburban community center designated by Anne
5 Arundel County in accordance with Bill Nos. 36-96 and 70-96 of the ordinances of
6 Anne Arundel County; or

7 2. One of the following locations as they existed on October 1,
8 1999:

9 A. The Glen Burnie Urban Renewal Area;

10 B. The Parole Town Center Growth Management Area;

11 C. The Odenton Town Center Growth Management Area;

12 D. The Baltimore-Washington International Airport State
13 Priority Funding Area, as designated by Anne Arundel County in accordance with
14 Article 83A, § 5-1101(k)(6) of the Code;

15 E. A shopping center with a gross area of at least 1 million
16 square feet that is zoned C3 General Commercial by the zoning article of the Anne
17 Arundel County Code; or

18 F. The Route 198 corridor, consisting of properties located
19 within 500 feet of the right-of-way of Maryland Route 198, from Route 32 on the east
20 to the Prince George's County-Anne Arundel County line on the west.

21 (2) A person who does not hold a retail alcoholic beverages license in
22 Anne Arundel County may be issued a maximum of two licenses by the Anne Arundel
23 County Board of License Commissioners if:

24 (i) Each license is a Class H (beer and wine) license or a Class H
25 (beer, wine and liquor) license; and

26 (ii) The restaurant for which one of the Class H licenses under item
27 (i) of this paragraph is sought is located within:

28 1. A suburban community center designated by Anne
29 Arundel County in accordance with Bill Nos. 36-96 and 70-96 of the ordinances of
30 Anne Arundel County; or

31 2. One of the following locations as they existed on October 1,
32 1999:

33 A. The Glen Burnie Urban Renewal Area;

34 B. The Parole Town Center Growth Management Area;

35 C. The Odenton Town Center Growth Management Area;

1 D. The Baltimore-Washington International Airport State
2 Priority Funding Area, as designated by Anne Arundel County in accordance with
3 Article 83A, § 5-1101(k)(6) of the Code;

4 E. A shopping center with a gross area of at least 1 million
5 square feet that is zoned C3 General Commercial by the zoning article of the Anne
6 Arundel County Code; or

7 F. The Route 198 corridor, consisting of properties located
8 within 500 feet of the right-of-way of Maryland Route 198, from Route 32 on the east
9 to the Prince George's County-Anne Arundel County line on the west.

10 (3) [A person who independently owns and operates a restaurant that is
11 part of a common franchise corporate entity may:

12 (i) Be issued only one Class H (beer and wine) license by the Anne
13 Arundel County Board of License Commissioners if the person did not hold a retail
14 alcoholic beverages license in Anne Arundel County on January 1, 2000; or

15 (ii) Be issued one additional Class H (beer and wine) license by the
16 Anne Arundel County Board of License Commissioners, in accordance with paragraph
17 (1) of this subsection, if the person held a Class H (beer and wine) license in Anne
18 Arundel County on January 1, 2000] A FRANCHISOR MAY NOT HAVE A DIRECT
19 OWNERSHIP INTEREST, AS DEFINED BY THE BOARD, IN MORE THAN 2 LICENSES
20 UNDER THIS SECTION.

21 (4) The Board may not issue more than 30 additional Class H licenses
22 under this subsection.

23 (5) The Anne Arundel County Board of License Commissioners shall
24 adopt regulations [to]:

25 (I) TO carry out this subsection; AND

26 (II) THAT DEFINE "DIRECT OWNERSHIP INTEREST" FOR THE
27 PURPOSES OF PARAGRAPH (3) OF THIS SUBSECTION.

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

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

32 (ii) On or before January 1, 2006, shall submit its findings and
33 recommendations to the Anne Arundel County House Delegation, the Anne Arundel
34 County Senate Delegation, the County Executive for Anne Arundel County, and the
35 Anne Arundel County Council.

36 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
37 June 1, 2002.

