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By: Anne Arundel County Senators Introduced and read first time: January 23, 2002

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments Senate action: Adopted Read second time: March 19, 2002

CHAPTER_____

1 AN ACT concerning

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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:

2	SENATE BILL 258				
1	1 Article 2B - Alcoholic Beverages				
2	2 9-102.				
5 6	 3 (h-1) (1) A <u>IN ANNE ARUNDEL COUNTY, A</u> current holder of a Class H alcoholic 4 beverages license, OR A HOLDER <u>AS OF JUNE 1, 2002</u> OF A CLASS B ALCOHOLIC 5 BEVERAGES LICENSE AS OF JUNE 1, 2002, in Anne Arundel County <u>THAT HAS A</u> 6 <u>RESTRICTION PROHIBITING OFF-SALES</u>, may be issued a second license by the Anne 7 Arundel County Board of License Commissioners if: 				
8 9	8 (i) The second license is a Class H (beer, wine and liquor) license or 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:				
	131.A suburban community center designated by Anne14Arundel County in accordance with Bill Nos. 36-96 and 70-96 of the ordinances of15Anne Arundel County; or				
16 17	2. One of the following locations as they existed on October 1, 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;				
22	 D. The Baltimore-Washington International Airport State Priority Funding Area, as designated by Anne Arundel County in accordance with Article 83A, § 5-1101(k)(6) of the Code; 				
25	 E. A shopping center with a gross area of at least 1 million square feet that is zoned C3 General Commercial by the zoning article of the Anne Arundel County Code; or 				
28	 F. The Route 198 corridor, consisting of properties located within 500 feet of the right-of-way of Maryland Route 198, from Route 32 on the east to the Prince George's County-Anne Arundel County line on the west. 				
31	 30 (2) 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: 				
33 34	3 (i) Each license is a Class H (beer and wine) license or a Class H 4 (beer, wine and liquor) license; and				
	 35 (ii) The restaurant for which one of the Class H licenses under item 36 (i) of this paragraph is sought is located within: 				

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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;		
	D. The Baltimore-Washington International Airport State Priority Funding Area, as designated by Anne Arundel County in accordance with Article 83A, § 5-1101(k)(6) of the Code;				
	square feet that is zoned C3 G Arundel County Code; or	E. eneral Co	A shopping center with a gross area of at least 1 million ommercial by the zoning article of the Anne		
			The Route 198 corridor, consisting of properties located faryland Route 198, from Route 32 on the east rundel County line on the west.		
18 19	(3) [A person who independently owns and operates a restaurant that is part of a common franchise corporate entity may:				
		ense Com	d only one Class H (beer and wine) license by the Anne missioners if the person did not hold a retail undel 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 (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.	ırd may n	ot issue more than 30 additional Class H licenses		
31 32	(5) The Ann adopt regulations [to]:	ne Arunde	el County Board of License Commissioners shall		
33	(I)	TO carry	y out this subsection; AND		
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34(II)THAT DEFINE "DIRECT OWNERSHIP INTEREST" FOR THE35PURPOSES OF PARAGRAPH (3) OF THIS SUBSECTION.

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1(6)The Anne Arundel County Economic Development Corporation, in2consultation 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.