

HOUSE BILL 1218

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2004 Regular Session
4r2699
CF 4r2698

By: **Chairman, Baltimore County Delegation (By Request - Baltimore
County Administration)**

Introduced and read first time: February 13, 2004

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore County - Alcoholic Beverages - Class BDR (Deluxe Restaurant)**
3 **(On-Sale) Beer, Wine and Liquor Licenses**

4 FOR the purpose of repealing a provision of law that requires, with respect to the
5 authorization of the issuance of up to four additional Class B (on-sale -- hotels
6 and restaurants) beer, wine and liquor licenses in Baltimore County to
7 individuals for the use of certain business entities, that one of the licenses must
8 be a Class BDR (deluxe restaurant) (on-sale) beer, wine and liquor license; and
9 generally relating to alcoholic beverages licenses in Baltimore County.

10 BY repealing and reenacting, with amendments,
11 Article 2B - Alcoholic Beverages
12 Section 9-102(b-3B)
13 Annotated Code of Maryland
14 (2001 Replacement Volume and 2003 Supplement)

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

17 **Article 2B - Alcoholic Beverages**

18 9-102.

19 (b-3B) (1) Notwithstanding any other provision of this section or § 8-204(l) of
20 this article, in Baltimore County, an individual, for the use of a sole proprietorship,
21 partnership, corporation, unincorporated association, or limited liability company in
22 the county, may obtain an additional Class B license up to a total of four Class B
23 (on-sale -- hotels and restaurants) beer, wine and liquor licenses under this article,
24 by making application in the regular manner and paying the usual fee if the
25 restaurants for which the licenses are sought:

26 (i) Meet the requirements of the rules and regulations of the Board
27 of License Commissioners regarding the availability and issuance of licenses;

1 (ii) Meet the definition requirements of "restaurant" established
2 under the regulations of the Board of License Commissioners;

3 (iii) Have a minimum seating capacity of 190 persons for dining;

4 (iv) Have a cocktail lounge or bar area seating capacity that does
5 not exceed 10 percent of the seating capacity for dining; and

6 (v) Have no more than 20 percent of sales in alcoholic beverages in
7 connection with the business.

8 (2) [One of the four licenses permitted under this subsection shall be a
9 Class BDR (deluxe restaurant) (on-sale) beer, wine and liquor license. Off-sale
10 privileges may not be conferred by these licenses.

11 (3)] Nothing contained in this section may be construed to authorize the
12 issuance of more than four licenses to an individual for the use of a sole
13 proprietorship, partnership, corporation, unincorporated association, or limited
14 liability company in the county under this article, including Class B (on-sale --
15 hotels and restaurants), Class B (SB) restaurant - service bar beer, wine and liquor
16 (on-sale), Class B (TTC) restaurant beer, wine and liquor (on-sale), and Class BDR
17 (deluxe restaurant) (on-sale) beer, wine and liquor licenses.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 July 1, 2004.