

SENATE BILL 488  
EMERGENCY BILL

Unofficial Copy  
A2

2004 Regular Session  
4r2081  
CF 4r2070

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By: **Senators Jimeno and DeGrange**

Introduced and read first time: February 6, 2004

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 12, 2004

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Anne Arundel County - Alcoholic Beverages Licenses -**  
3 **Baltimore-Washington International Airport**

4 FOR the purpose of allowing certain sublessees at any airport to obtain airport  
5 concessionaire licenses to sell alcoholic beverages within airport terminal  
6 buildings; authorizing certain persons at Baltimore-Washington International  
7 Airport to hold one ~~or more~~ airport concessionaire ~~licenses for~~ license for  
8 multiple locations within the terminal building of the Airport, even if they  
9 already hold one or more other licenses issued by the Board of License  
10 Commissioners of Anne Arundel County; specifying that this Act does not apply  
11 to duty free shops; allowing the Board to issue two airport concessionaire  
12 licenses for the same premises or concessionaire space at the Airport for a  
13 certain purpose under certain conditions; requiring that the Board give  
14 precedence to certain license applications; requiring the Board to hold hearings  
15 on certain license applications at the Board meeting that immediately follows  
16 receipt of the applications; specifying the fee for an airport concessionaire  
17 license and one location from which alcoholic beverages may be sold; specifying  
18 an annual fee for each additional location from which alcoholic beverages may  
19 be sold; making conforming and stylistic changes; making this Act an emergency  
20 measure; and generally relating to alcoholic beverages licenses at  
21 Baltimore-Washington International Airport.

22 BY repealing and reenacting, without amendments,  
23 Article 2B - Alcoholic Beverages  
24 Section 8-202(a)  
25 Annotated Code of Maryland  
26 (2001 Replacement Volume and 2003 Supplement)

1 BY repealing and reenacting, with amendments,  
2 Article 2B - Alcoholic Beverages  
3 Section 8-202(g) and 9-102(a)  
4 Annotated Code of Maryland  
5 (2001 Replacement Volume and 2003 Supplement)

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

8 **Article 2B - Alcoholic Beverages**

9 8-202.

10 (a) This section applies only in Anne Arundel County.

11 (g) (1) There is an airport concessionaire license.

12 (2) (I) An individual, association of individuals, or a corporation which  
13 is a lessee, SUBLESSEE, or a concessionaire at any airport, without further residential,  
14 voting or locative qualifications, may [procure a] OBTAIN AN AIRPORT  
15 CONCESSIONAIRE license for the sale of any and all alcoholic beverages within [the  
16 confines of] the airport terminal buildings.

17 (II) 1. THIS SUBPARAGRAPH DOES NOT APPLY TO DUTY FREE  
18 SHOPS.

19 2. A PERSON WHO IS A LESSEE, SUBLESSEE, OR  
20 CONCESSIONAIRE AT BALTIMORE-WASHINGTON INTERNATIONAL AIRPORT MAY  
21 HOLD ONE ~~OR MORE~~ AIRPORT CONCESSIONAIRE ~~LICENSES FOR~~ LICENSE FOR  
22 MULTIPLE LOCATIONS WITHIN THE TERMINAL BUILDING OF  
23 BALTIMORE-WASHINGTON INTERNATIONAL AIRPORT, EVEN IF THE PERSON  
24 ALREADY HOLDS ONE OR MORE ALCOHOLIC BEVERAGES LICENSES OF ANY OTHER  
25 TYPE ISSUED BY THE BOARD.

26 (III) 1. THE BOARD MAY ISSUE A SECOND AIRPORT  
27 CONCESSIONAIRE LICENSE FOR A LEASED PREMISES OR CONCESSIONAIRE SPACE  
28 ~~THAT IS ALREADY LICENSED~~ LICENSED AS OF MARCH 1, 2004, AT  
29 BALTIMORE-WASHINGTON INTERNATIONAL AIRPORT TO MAINTAIN SERVICE  
30 DURING A TRANSITION INVOLVING DIFFERENT LICENSEES; BUT

31 2. THE FIRST AIRPORT CONCESSIONAIRE LICENSE SHALL  
32 EXPIRE WHEN THE PRIVILEGES UNDER THE SECOND ARE EXERCISED.

33 (IV) ON RECEIPT OF AN APPLICATION FOR AN AIRPORT  
34 CONCESSIONAIRE LICENSE UNDER SUBPARAGRAPH (II) OR (III) OF THIS PARAGRAPH,  
35 THE BOARD SHALL:

36 1. GIVE PRECEDENCE TO THE APPLICATION OVER ALL  
37 OTHER LICENSE APPLICATIONS; AND

1                                    2.            HOLD A HEARING ON THE APPLICATION AT THE BOARD  
 2 MEETING THAT IMMEDIATELY FOLLOWS RECEIPT OF THE APPLICATION.

3                            (3)            (i)            The annual ~~license~~ fee FOR THE AIRPORT CONCESSIONAIRE  
 4 LICENSE AND ONE LOCATION FROM WHICH ALCOHOLIC BEVERAGES MAY BE SOLD is  
 5 \$5,000.

6                                    (II)            THE ANNUAL FEE FOR EACH ADDITIONAL LOCATION FROM  
 7 WHICH ALCOHOLIC BEVERAGES MAY BE SOLD IS \$5,000.

8                                    (ii)            (III)          ~~The EACH~~ fee shall be paid on May 1 to the Board.

9                                    (iii)           (IV)          The licensee may sell alcoholic beverages every day ~~at one~~  
 10 ~~or more locations~~ FROM EACH LOCATION within the airport terminal buildings.

11                                   (iv)           (V)          The license permits the playing of music and dancing.

12                                   (v)            (VI)          The provisions of subsection (d) of this section relating to  
 13 special Sunday licenses do not apply to the holder of a license issued under this  
 14 subsection.

15                                   (4)            Licenses and licensees are subject to all laws and regulations  
 16 applicable to the sale of alcoholic beverages not inconsistent with the provisions of  
 17 this section.

18 9-102.

19            (a)            No more than one license provided by this article, except by way of renewal  
 20 or as otherwise provided in this section, shall be issued in any county or Baltimore  
 21 City, to any person, or for the use of any partnership, corporation, unincorporated  
 22 association, or limited liability company, in Baltimore City or any county of the State,  
 23 and no more than one license shall be issued for the same premises except as provided  
 24 in §§ 2-201 through 2-208, 2-301, and 6-701, and nothing herein shall be construed  
 25 to apply to [subsections (b) and (c) of] § 7-101(B) AND (C), § 8-202(G)(2)(II) AND (III), or  
 26 [to] § 12-202 [(pertaining to special music or dancing licenses for Anne Arundel  
 27 County)] of this article.

28            SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency  
 29 measure, is necessary for the immediate preservation of the public health or safety,  
 30 has been passed by a ye and nay vote supported by three-fifths of all the members  
 31 elected to each of the two Houses of the General Assembly, and shall take effect from  
 32 the date it is enacted.

