# By: Senator Jimeno (Chairman, Anne Arundel County Senators) 

Introduced and read first time: February 6, 2004
Assigned to: Education, Health, and Environmental Affairs

## A BILL ENTITLED

1 AN ACT concerning

## Anne Arundel County - Alcoholic Beverages - Interests in Multiple Licenses

3 FOR the purpose of exempting certain business establishments in Anne Arundel County that hold any interest in a certain alcoholic beverages license on or before a certain date from the prohibition against holding interests in more than one license; providing a certain exception; making stylistic changes and technical corrections; making this Act an emergency measure; and generally relating to alcoholic beverages licenses in Anne Arundel County.

9 BY repealing and reenacting, with amendments,
10 Article 2B - Alcoholic Beverages
11 Section 9-301
12 Annotated Code of Maryland
13 (2001 Replacement Volume and 2003 Supplement)

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

## Article 2B - Alcoholic Beverages

17 9-301.
18 (A) [In] EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, IN the
19 enumerated subdivisions below, a person, partnership, firm or corporation, except by
20 way of renewal, may not have an interest in more than one license, whether held or
21 controlled by direct or indirect ownership, by stock ownership, interlocking directors
22 or interlocking stock ownership, or in any other manner, directly or indirectly. It is the
23 intention of this section to prohibit any person, firm, partnership or corporation from
24 having any interest, directly or indirectly, in more than one license.
25 (B) (1) In Baltimore County:
(i) 1. Except that the provisions of this section do not apply to

27 licenses issued for premises operated as a motel or motor court having 100 rooms or
28 more; and

2 or chain store operation may not have an interest in more than 1 Class A (off-sale)
3 alcoholic beverages license, whether that license is to be held or controlled by:

11 PARAGRAPH is intended:
A. Direct or indirect ownership;
B. A franchise operation;
C. A chain store operation;
D. Stock ownership;
E. Interlocking directors or interlocking stock ownership; or
F. Any other method of ownership or control.
(ii) [Item 2 of subparagraph (i)] SUBPARAGRAPH (I)2 OF THIS

13 for the use in franchised or chain store operations in Baltimore County; and
2. To be in addition to the provisions of this section and the 15 provisions of § 9-102 of this title.
(3) (i) In Anne Arundel County, a person, franchisor, franchisee, chain 19 store operation, partnership, firm or corporation, except by way of renewal, may not
20 have any interest in more than one license, whether held or controlled by direct or
21 indirect ownership, by franchise operation, by chain store operation, by stock
22 ownership, interlocking directors or interlocking stock ownership, or in any other
23 manner directly or indirectly. It is the intention of this [subsection] PARAGRAPH to
24 prohibit any such persons, franchisor, franchisee, chain store operation, firm,
25 partnership, or corporation from having any interest, directly or indirectly, in more
26 than one license EXCEPT BY WAY OF A LESSOR. Nothing in this [subsection]
27 PARAGRAPH applies to or affects any such type of business establishment already
28 holding such a license ON OR BEFORE MARCH 1, 2004, or the possibility of such
29 licensee having [the] A license transferred to a similar type of business
30 establishment.
(ii) This [subsection] PARAGRAPH does not apply to licenses issued 32 under the provisions of §§ 8-202(i) and 9-102(h-1) of this article.
(4) In Howard County:
(i) 1. Except for renewals, a person, partnership, firm, or

35 corporation may not have an interest in more than one alcoholic beverages license in
36 Howard County whether held or controlled by direct or indirect ownership, by stock

1 ownership, interlocking directors or interlocking stock ownership, or in any other
2 manner, directly or indirectly; and

3 4 prohibit any person, firm, partnership, or corporation from having any interest, 5 directly or indirectly, in more than one license.
(ii) The prohibitions in this [subsection] PARAGRAPH do not apply 7 to the number of licenses authorized under § 8-408.1 or § 9-102(o) of this article.
8 (5) (i) In Baltimore City, except as authorized by § 9-102 of this title, 9 a person, franchisor, franchisee, chain store operation, partnership, firm or
10 corporation, except by way of renewal, may not have any interest in more than one
11 Class A license, whether held or controlled by direct or indirect ownership, by
12 franchise operation, by chain store operation, by stock ownership, interlocking stock
13 ownership, or in any other manner directly or indirectly. It is the intention of this
14 [subsection] PARAGRAPH to prohibit any such persons, franchisor, franchisee, chain
15 store operation, firm, partnership, or corporation from having any interest, directly or
16 indirectly, in more than one Class A license. Nothing in this [subsection] PARAGRAPH
17 applies to or affects any such type of business establishment already holding such a
18 license or the possibility of such licensee having the license transferred to a similar
19 type of business establishment.
(ii) This [subsection] PARAGRAPH is intended:

21
22 franchised operations in Baltimore City; and
2. To be in addition to the provisions of § 9-102 of this article.

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

