
By: **Howard County Delegation**

Introduced and read first time: February 8, 2006

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Howard County - Alcoholic Beverages - Multiple Licenses**
3 **Ho. Co. 09-06**

4 FOR the purpose of authorizing the Board of License Commissioners of Howard
5 County to issue multiple Class B (on-sale) beer, wine and liquor licenses and
6 multiple Class BLX (luxury restaurant) (on-sale) beer, wine and liquor licenses
7 to an individual or for the use of a partnership, corporation, or unincorporated
8 association; and generally relating to alcoholic beverages licenses in Howard
9 County.

10 BY repealing and reenacting, with amendments,
11 Article 2B - Alcoholic Beverages
12 Section 9-102(o)
13 Annotated Code of Maryland
14 (2005 Replacement Volume)

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 (o) (1) [Notwithstanding] SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS
20 SUBSECTION, AND NOTWITHSTANDING any other provision of law, in Howard County,
21 the Board of License Commissioners may issue [1] 2 Class B (on-sale) beer, wine and
22 liquor [license] LICENSES and [1] 3 Class BLX (luxury restaurant) (on-sale) beer,
23 wine and liquor [license] LICENSES, or [2] 5 Class BLX (luxury restaurant) (on-sale)
24 beer, wine and liquor licenses for separate premises:

25 [(1)] (I) To an individual; or

26 [(2)] (II) For the use of a partnership, corporation, or unincorporated
27 association.

1 (2) A PERSON, INCLUDING A CORPORATION, LIMITED LIABILITY
2 COMPANY, PARTNERSHIP, LIMITED PARTNERSHIP, JOINT VENTURE, ASSOCIATION,
3 OR OTHER COMBINATION OF PERSONS, WHETHER NATURAL OR OTHERWISE AND
4 FOR WHATEVER REASON FORMED, MAY NOT HAVE A DIRECT OR INDIRECT INTEREST
5 IN ANY COMBINATION OF MORE THAN 5 CLASS B AND CLASS BLX LICENSES.

6 (3) FOR PURPOSES OF THIS SUBSECTION, AN INDIRECT INTEREST IS
7 PRESUMED TO EXIST BETWEEN TWO PERSONS, CORPORATIONS, LIMITED LIABILITY
8 COMPANIES, PARTNERSHIPS, LIMITED PARTNERSHIPS, JOINT VENTURES,
9 ASSOCIATIONS, OR OTHER COMBINATION OF PERSONS, WHETHER NATURAL OR
10 OTHERWISE, IF ANY OF THE FOLLOWING CONDITIONS EXIST BETWEEN THEM:

11 (I) A COMMON PARENT COMPANY;

12 (II) A FRANCHISE AGREEMENT;

13 (III) A LICENSING AGREEMENT;

14 (IV) A CONCESSION AGREEMENT;

15 (V) BOTH ARE PART OF A CHAIN OF BUSINESSES COMMONLY
16 OWNED AND OPERATED;

17 (VI) THEY SHARE:

18 1. DIRECTORS, STOCKHOLDERS, PARTNERS, OR MEMBERS;

19 OR

20 2. DIRECTORS, STOCKHOLDERS, PARTNERS, OR MEMBERS
21 OF PARENTS OR SUBSIDIARIES;

22 (VII) THEY COMMONLY SHARE, DIRECTLY OR INDIRECTLY, PROFIT
23 FROM THE SALE OF ALCOHOLIC BEVERAGES; OR

24 (VIII) THEY SHARE A COMMON TRADE NAME, TRADEMARK, LOGO OR
25 THEME, OR MODE OF OPERATION IDENTIFIABLE BY THE PUBLIC.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 June 1, 2006.