
By: **Senators Giannetti and Lawlah**

Introduced and read first time: January 27, 2006

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: April 3, 2006

CHAPTER _____

1 AN ACT concerning

2 **Prince George's County - Metro Station Restaurant Development Act of 2006**

3 FOR the purpose of adding a transit district overlay zone, or under certain
4 circumstances, an area within a certain distance of a metrorail station, and
5 certain commercial establishments in Prince George's County to the list of areas
6 in which certain individuals and entities may hold or have an interest in
7 additional Class B beer, wine and liquor licenses; providing that certain holders
8 of Class B beer, wine and liquor licenses in Prince George's County are not
9 precluded from having an interest in Class B or Class BLX licenses elsewhere in
10 Prince George's County; providing that a certain limit on the maximum number
11 of Class B beer, wine and liquor licenses does not apply to issuances of Class B
12 licenses under certain circumstances; providing for a certain exception; and
13 generally relating to Class B beer, wine and liquor licenses in Prince George's
14 County.

15 BY repealing and reenacting, without amendments,
16 Article 2B - Alcoholic Beverages
17 Section 9-217(a)
18 Annotated Code of Maryland
19 (2005 Replacement Volume)

20 BY repealing and reenacting, with amendments,
21 Article 2B - Alcoholic Beverages
22 Section ~~9-217(f)(5)~~ 9-217(d) and (f)(5)
23 Annotated Code of Maryland
24 (2005 Replacement Volume)

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

3 **Article 2B - Alcoholic Beverages**

4 9-217.

5 (a) This section applies only in Prince George's County.

6 (d) This section does not apply to licenses issued under the provisions of §
7 6-201(r)(2) [or], (5), OR (6) or § 7-101 of this article.

8 (f) (5) (i) This paragraph does not apply to a licensed premises located in
9 a chain store, supermarket, discount house, drug store, or convenience store.

10 (ii) Notwithstanding any other provision of this article, the Board of
11 License Commissioners may allow an individual, partnership, corporation,
12 unincorporated association, or limited liability company to hold or have an interest in
13 more than one Class B beer, wine and liquor license, if the restaurant for which the
14 license is sought is located within:

15 1. Any of the following areas that are underserved by
16 restaurants:

17 A. Suitland business district, consisting of properties
18 fronting on or having access to Silver Hill Road between Suitland Parkway and
19 Sunset Lane, and on Suitland Road between Arnold Road and Eastern Lane;

20 B. Part of the Port Towns business district, consisting of
21 properties fronting on or having access to Rhode Island Avenue, Bladensburg Road,
22 Annapolis Road, or 38th Street, in legislative district 22; [or]

23 C. Largo area, consisting of properties within the area
24 bounded by the Capital Beltway (I-495) on the west, Central Avenue and Landover
25 Road on the south and southeast, Campus Way North on the east and Route 214 and
26 Landover Road on the north and northwest; ~~or~~

27 ~~D. AN AREA WITHIN 2,000 FEET OF A METRORAIL STATION IN~~
28 ~~THE COUNTY; OR~~

29 D. EXCEPT FOR METRORAIL STATIONS IN LEGISLATIVE
30 DISTRICT 24, A TRANSIT DISTRICT OVERLAY ZONE FOR A METRORAIL STATION THAT
31 IS LOCATED WITHIN A TRANSIT DISTRICT OVERLAY ZONE, OR IF THERE IS NOT A
32 TRANSIT DISTRICT OVERLAY ZONE FOR A METRORAIL STATION, AN AREA WITHIN
33 2,000 FEET OF THE PROPERTY LINE OF PROPERTY OWNED OR LEASED BY METRO
34 SERVING A METRORAIL STATION IN THE COUNTY; OR

35 E. CAPITAL PLAZA COMMERCIAL AREA CONSISTING OF
36 COMMERCIAL ESTABLISHMENTS WITHIN THE AREA BOUNDED BY THE

1 BALTIMORE-WASHINGTON PARKWAY ON THE WEST AND NORTHWEST, MARYLAND
 2 ROUTE 450 ON THE SOUTH, AND COOPER LANE ON THE EAST AND NORTHEAST; OR

3 2. A. A waterfront entertainment retail complex as
 4 defined by a county zoning ordinance; or

5 B. A commercial establishment on 100 or more acres that is
 6 designated by the County Executive as a recreational, destination, or entertainment
 7 attraction.

8 (iii) 1. Except as provided in sub-subparagraphs 2 and 3 of this
 9 subparagraph, a license holder may not hold more than 4 Class B beer, wine and
 10 liquor licenses within all of the underserved areas described in subparagraph (ii)1 of
 11 this paragraph.

12 2. A license holder may be issued or transferred a fifth Class
 13 B beer, wine and liquor license only if the date of the application for the fifth license
 14 is at least 1 year after the date the license holder was issued or transferred the fourth
 15 license.

16 3. A license holder may be issued or transferred a sixth Class
 17 B beer, wine and liquor license only if the date of the application for the sixth license
 18 is at least 1 year after the date the license holder was issued or transferred the fifth
 19 license.

20 (iv) ~~An individual, partnership, corporation, unincorporated~~
 21 ~~association, or limited liability company that holds or has an interest in a license~~
 22 ~~located in an underserved area described in subparagraph (ii)1 of this paragraph may~~
 23 ~~not hold or have an interest in more than one license located outside of all the~~
 24 ~~underserved areas~~ THE PROVISIONS OF THIS PARAGRAPH DO NOT PRECLUDE A
 25 HOLDER OF A CLASS B LICENSE ISSUED UNDER THIS PARAGRAPH FROM HAVING AN
 26 INTEREST IN CLASS B OR CLASS BLX LICENSES ELSEWHERE IN PRINCE GEORGE'S
 27 COUNTY.

28 (v) An individual, partnership, corporation, unincorporated
 29 association, or limited liability company may not hold or have an interest in more
 30 than one license in a commercial establishment described in subparagraph ~~(ii)2~~ (II)2B
 31 of this paragraph.

32 (vi) The annual license fee for a Class B license obtained under this
 33 paragraph is \$2,500.

34 (vii) A Class B license obtained under this paragraph does not confer
 35 off-sale privileges.

36 (viii) The residency requirements under § 9-101 of this title apply to
 37 an applicant for a Class B license under this paragraph.

1 (ix) The limit on the maximum number of Class B beer, wine and
2 liquor licenses in the county under subsection (b) of this section ~~applies~~ DOES NOT
3 APPLY to the issuance of licenses under this paragraph.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 July 1, 2006.