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By: **Senator Jacobs**

Introduced and read first time: February 16, 2006

Assigned to: Rules

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A BILL ENTITLED

1 AN ACT concerning

2 **Harford County - Alcoholic Beverages - Class BDR Licenses**

3 FOR the purpose of increasing the number of Class BDR (deluxe restaurant) beer,  
4 wine and liquor licenses that may be issued to a single license holder in Harford  
5 County under certain conditions; authorizing the awarding of certain Class BDR  
6 licenses if the restaurants for which the licenses are issued are located in certain  
7 areas of the county; repealing a certain conflicting provision relating to the  
8 number of certain licenses that may be issued in Harford County; and generally  
9 relating to Class BDR licenses in Harford County.

10 BY repealing and reenacting, without amendments,

11 Article 2B - Alcoholic Beverages  
12 Section 6-201(n)(1) and (6)(i) and (ii)  
13 Annotated Code of Maryland  
14 (2005 Replacement Volume)

15 BY repealing and reenacting, with amendments,

16 Article 2B - Alcoholic Beverages  
17 Section 6-201(n)(6)(iii), (v), and (vi)  
18 Annotated Code of Maryland  
19 (2005 Replacement Volume)

20 BY repealing

21 Article 2B - Alcoholic Beverages  
22 Section 6-201(n)(6)(iv) and 9-213(j)  
23 Annotated Code of Maryland  
24 (2005 Replacement Volume)

25 BY adding to

26 Article 2B - Alcoholic Beverages  
27 Section 6-201(n)(6)(iv)  
28 Annotated Code of Maryland  
29 (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 6-201.

5 (n) (1) This subsection applies only in Harford County.

6 (6) (i) There is a special 7-day Class B (on-sale) license known as the  
7 Class BDR (deluxe restaurant) beer, wine and liquor license.

8 (ii) The license may be issued only in accordance with the  
9 provisions of this paragraph.

10 (iii) There may be a total of:

11 1. [2] 3 Class BDR (BEER, WINE AND LIQUOR) licenses  
12 issued TO A SINGLE LICENSE HOLDER in accordance with [the provisions of]  
13 SUBPARAGRAPH (IV) OF this paragraph; OR

14 2. 4 CLASS BDR (BEER, WINE AND LIQUOR) LICENSES ISSUED  
15 TO A SINGLE LICENSE HOLDER IN ACCORDANCE WITH SUBPARAGRAPH (V) OF THIS  
16 PARAGRAPH.

17 [(iv) A current holder of any type of Class B alcoholic beverages  
18 license issued in Harford County may apply for and be issued a Class BDR (beer, wine  
19 and liquor) license only if the restaurant for which the Class BDR license is sought is  
20 located within one of the following areas of Harford County:

21 1. All of election district 1, precincts 1, 3, 4, 5, 6, 10, 16, and  
22 1-45, as that election district and those precincts existed on January 1, 2001;

23 2. That area of election district 1, precinct 2, as that election  
24 district and that precinct existed on January 1, 2001, that is south of a line that runs  
25 along the center of Philadelphia Road beginning at the Harford County-Baltimore  
26 County boundary line and ending at the intersection with Old Mountain Road;

27 3. That area of election district 1, precinct 7, as that election  
28 district and that precinct existed on January 1, 2001, that is south of a line that runs  
29 along the center of Philadelphia Road beginning at Old Mountain Road and ending at  
30 Winter's Run, which is the creek that forms the eastern boundary of precinct 7 of  
31 election district 1; or

32 4. The area within the corporate limits of the municipality of  
33 Aberdeen.]

34 (IV) 1. A HOLDER OF ANY TYPE OF CLASS B LICENSE ISSUED BY  
35 THE LIQUOR CONTROL BOARD MAY BE ISSUED A CLASS BDR LICENSE IF THE  
36 RESTAURANT FOR WHICH THE LICENSE IS SOUGHT IS LOCATED ANYWHERE IN THE

1 DEVELOPMENT ENVELOPE THAT IS DESCRIBED IN THE 2004 MASTER PLAN AND LAND  
2 USE ELEMENT PLAN ADOPTED BY COUNTY COUNCIL BILL 04-23.

3 2. A LICENSE HOLDER UNDER THIS SUBPARAGRAPH MAY BE  
4 ISSUED A SECOND CLASS BDR LICENSE IF THE RESTAURANT FOR WHICH THE  
5 LICENSE IS SOUGHT IS LOCATED ANYWHERE IN:

6 A. ELECTION DISTRICT 1, PRECINCTS 1, 3, 4, 5, 6, 10, 16, AND  
7 1-45, AS THAT ELECTION DISTRICT AND THOSE PRECINCTS EXISTED ON JANUARY 1,  
8 2001;

9 B. THAT AREA OF ELECTION DISTRICT 1, PRECINCT 2, AS  
10 THAT ELECTION DISTRICT AND THAT PRECINCT EXISTED ON JANUARY 1, 2001, THAT  
11 IS SOUTH OF A LINE THAT RUNS ALONG THE CENTER OF PHILADELPHIA ROAD  
12 BEGINNING AT THE HARFORD COUNTY-BALTIMORE COUNTY BOUNDARY LINE AND  
13 ENDING AT THE INTERSECTION WITH OLD MOUNTAIN ROAD; OR

14 C. THAT AREA OF ELECTION DISTRICT 1, PRECINCT 7, AS  
15 THAT ELECTION DISTRICT AND THAT PRECINCT EXISTED ON JANUARY 1, 2001, THAT  
16 IS SOUTH OF A LINE THAT RUNS ALONG THE CENTER OF PHILADELPHIA ROAD  
17 BEGINNING AT OLD MOUNTAIN ROAD AND ENDING AT WINTER'S RUN, WHICH IS THE  
18 CREEK THAT FORMS THE EASTERN BOUNDARY OF PRECINCT 7 OF ELECTION  
19 DISTRICT 1.

20 3. A LICENSE HOLDER UNDER THIS SUBPARAGRAPH MAY BE  
21 ISSUED A THIRD CLASS BDR LICENSE IF THE RESTAURANT FOR WHICH THE LICENSE  
22 IS SOUGHT IS LOCATED ANYWHERE IN THE DEVELOPMENT ENVELOPE THAT IS  
23 DESCRIBED IN THE 2004 MASTER PLAN AND LAND USE ELEMENT PLAN ADOPTED BY  
24 COUNTY COUNCIL BILL 04-23.

25 (v) Subject to the provisions of subparagraph (vi) of this paragraph,  
26 a person that does not currently hold any type of Class B alcoholic beverages license  
27 in Harford County may apply for and be issued a maximum of two Class BDR licenses  
28 as follows:

29 1. A Class BDR license, regardless of the location of the  
30 restaurant in Harford County; [and

31 2. One additional Class BDR license, but only if the license  
32 sought is for a restaurant that is located within one of the following areas in Harford  
33 County:

34 A. All of election district 1, precincts 1, 3, 4, 5, 6, 10, 16, and  
35 1-45, as that election district and those precincts existed on January 1, 2001;

36 B. That area of election district 1, precinct 2, as that election  
37 district and that precinct existed on January 1, 2001, that is south of a line that runs  
38 along the center of Philadelphia Road beginning at the Harford County-Baltimore  
39 County line and ending at the intersection with Old Mountain Road;

1 C. That area of election district 1, precinct 7, as that election  
2 district and that precinct existed on January 1, 2001, that is south of a line that runs  
3 along the center of Philadelphia Road beginning at Old Mountain Road and ending at  
4 Winter's Run, which is the creek that forms the eastern boundary of precinct 7 of  
5 election district 1; or

6 D. The area within the corporate limits of the municipality of  
7 Aberdeen;]

8 2. A SECOND CLASS BDR LICENSE, IF THE LICENSE SOUGHT  
9 IS FOR A RESTAURANT THAT IS LOCATED ANYWHERE IN THE DEVELOPMENT  
10 ENVELOPE THAT IS DESCRIBED IN THE 2004 MASTER PLAN AND LAND USE ELEMENT  
11 PLAN ADOPTED BY COUNTY COUNCIL BILL 04-23;

12 3. A THIRD CLASS BDR LICENSE, IF THE LICENSE SOUGHT IS  
13 FOR A RESTAURANT THAT IS LOCATED ANYWHERE IN:

14 A. ELECTION DISTRICT 1, PRECINCTS 1, 3, 4, 5, 6, 10, 16, AND  
15 1-45, AS THAT ELECTION DISTRICT AND THOSE PRECINCTS EXISTED ON JANUARY 1,  
16 2001;

17 B. THAT AREA OF ELECTION DISTRICT 1, PRECINCT 2, AS  
18 THAT ELECTION DISTRICT AND THAT PRECINCT EXISTED ON JANUARY 1, 2001, THAT  
19 IS SOUTH OF A LINE THAT RUNS ALONG THE CENTER OF PHILADELPHIA ROAD  
20 BEGINNING AT THE HARFORD COUNTY-BALTIMORE COUNTY BOUNDARY LINE AND  
21 ENDING AT THE INTERSECTION WITH OLD MOUNTAIN ROAD; OR

22 C. THAT AREA OF ELECTION DISTRICT 1, PRECINCT 7, AS  
23 THAT ELECTION DISTRICT AND THAT PRECINCT EXISTED ON JANUARY 1, 2001, THAT  
24 IS SOUTH OF A LINE THAT RUNS ALONG THE CENTER OF PHILADELPHIA ROAD  
25 BEGINNING AT OLD MOUNTAIN ROAD AND ENDING AT WINTER'S RUN, WHICH IS THE  
26 CREEK THAT FORMS THE EASTERN BOUNDARY OF PRECINCT 7 OF ELECTION  
27 DISTRICT 1; AND

28 4. A FOURTH CLASS BDR LICENSE, IF THE RESTAURANT FOR  
29 WHICH THE LICENSE IS SOUGHT IS LOCATED ANYWHERE IN THE DEVELOPMENT  
30 ENVELOPE THAT IS DESCRIBED IN THE 2004 MASTER PLAN AND LAND USE ELEMENT  
31 PLAN ADOPTED BY COUNTY COUNCIL BILL 04-23.

32 (vi) A person that has obtained a Class BDR license under  
33 subparagraph (v)1 of this paragraph may not apply for and obtain any other Class B  
34 license other than a license obtained in accordance with subparagraph [(v)2] (V)2, 3,  
35 OR 4 of this paragraph.

36 9-213.

37 [(j) (1) Subject to the provisions of paragraph (2) of this subsection, in  
38 Harford County, the Liquor Control Board may issue additional Class BDR (deluxe  
39 restaurant) licenses (on-sale only) to an individual for the use of a sole proprietorship,

1 partnership, corporation, unincorporated association, or limited liability company in  
2 the county.

3           (2)       The maximum number of Class B, including Class BDR, licenses that  
4 may be issued by the Liquor Control Board to an individual for the use of a sole  
5 practitioner, partnership, corporation, unincorporated association, or limited liability  
6 company in the county is two.]

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