
By: **Senator Jacobs**

Introduced and read first time: February 16, 2006

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, February 23, 2006

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 22, 2006

CHAPTER _____

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)

1 Annotated Code of Maryland
2 (2005 Replacement Volume)

3 BY adding to
4 Article 2B - Alcoholic Beverages
5 Section 6-201(n)(6)(iv)
6 Annotated Code of Maryland
7 (2005 Replacement Volume)

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

10 **Article 2B - Alcoholic Beverages**

11 6-201.

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

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

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

17 (iii) There may be a total of:

18 1. [2] 3 Class BDR (BEER, WINE AND LIQUOR) licenses
19 issued TO A SINGLE LICENSE HOLDER in accordance with [the provisions of]
20 SUBPARAGRAPH (IV) OF this paragraph; OR

21 2. 4 CLASS BDR (BEER, WINE AND LIQUOR) LICENSES ISSUED
22 TO A SINGLE LICENSE HOLDER IN ACCORDANCE WITH SUBPARAGRAPH (V) OF THIS
23 PARAGRAPH.

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

28 1. All of election district 1, precincts 1, 3, 4, 5, 6, 10, 16, and
29 1-45, as that election district and those precincts existed on January 1, 2001;

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

34 3. That area of election district 1, precinct 7, as that election
35 district and that precinct existed on January 1, 2001, that is south of a line that runs

1 along the center of Philadelphia Road beginning at Old Mountain Road and ending at
 2 Winter's Run, which is the creek that forms the eastern boundary of precinct 7 of
 3 election district 1; or

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

6 (IV) 1. A HOLDER OF ANY TYPE OF CLASS B LICENSE ISSUED BY
 7 THE LIQUOR CONTROL BOARD MAY BE ISSUED A CLASS BDR LICENSE IF THE
 8 RESTAURANT FOR WHICH THE LICENSE IS SOUGHT IS LOCATED ANYWHERE IN THE
 9 DEVELOPMENT ENVELOPE THAT IS DESCRIBED IN THE 2004 MASTER PLAN AND LAND
 10 USE ELEMENT PLAN ADOPTED BY COUNTY COUNCIL BILL 04-23.

11 2. A LICENSE HOLDER UNDER THIS SUBPARAGRAPH MAY BE
 12 ISSUED A SECOND CLASS BDR LICENSE IF THE RESTAURANT FOR WHICH THE
 13 LICENSE IS SOUGHT 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.

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

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

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

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

5 9-213.

6 [(j) (1) Subject to the provisions of paragraph (2) of this subsection, in
7 Harford County, the Liquor Control Board may issue additional Class BDR (deluxe
8 restaurant) licenses (on-sale only) to an individual for the use of a sole proprietorship,
9 partnership, corporation, unincorporated association, or limited liability company in
10 the county.

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

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