
By: **Senators Brochin and Stone (By Request - Baltimore County Administration)**

Introduced and read first time: March 6, 2006

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore County - Alcoholic Beverages Licenses - Transfers into Towson**
3 **Revitalization District**

4 FOR the purpose of authorizing the Baltimore County Board of Liquor License
5 Commissioners to authorize the transfer of a certain number of certain beer,
6 wine and liquor (on-sale) licenses into the Towson Revitalization District;
7 specifying certain requirements for licenses to be transferred; requiring that a
8 license that is transferred into the Towson Revitalization District be converted
9 into a Class B (TRD) license; specifying certain requirements for a Class B
10 (TRD) license and for the restaurant for which a Class B (TRD) license is issued;
11 requiring a certain minimum capital investment for a restaurant; prohibiting
12 the transfer or conversion of a Class B (TRD) license; providing for the
13 termination of this Act; and generally relating to alcoholic beverages in
14 Baltimore County.

15 BY adding to
16 Article 2B - Alcoholic Beverages
17 Section 8-204.3
18 Annotated Code of Maryland
19 (2005 Replacement Volume)

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

22 **Article 2B - Alcoholic Beverages**

23 8-204.3.

24 (A) THIS SECTION APPLIES ONLY IN BALTIMORE COUNTY.

25 (B) (1) NOTWITHSTANDING THE LICENSE POPULATION QUOTA
26 LIMITATIONS OF THE BOARD OF LIQUOR LICENSE COMMISSIONERS AND IN
27 ADDITION TO THE LICENSES AUTHORIZED FOR ISSUANCE IN BALTIMORE COUNTY,
28 THE BOARD OF LIQUOR LICENSE COMMISSIONERS MAY AUTHORIZE THE TRANSFER

1 INTO THE TOWSON REVITALIZATION DISTRICT, AS DEFINED BY THE BALTIMORE
2 COUNTY COUNCIL, OF NOT MORE THAN TWO BEER, WINE AND LIQUOR (ON-SALE)
3 LICENSES THAT:

4 (I) WERE ISSUED ON OR BEFORE DECEMBER 31, 2005;

5 (II) ARE IN EXISTENCE IN ELECTION DISTRICT 13, 14, OR 15 OF
6 BALTIMORE COUNTY ON JUNE 1, 2006; AND

7 (III) ARE VALID ON THE DATE OF TRANSFER.

8 (2) TO BE TRANSFERRED UNDER THIS SECTION, A LICENSE:

9 (I) SHALL BE A CLASS B OR A CLASS D LICENSE; AND

10 (II) MAY NOT BE A LICENSE THAT IS PROHIBITED FROM BEING
11 TRANSFERRED BY STATUTE OR REGULATION.

12 (3) A LICENSE TRANSFERRED UNDER THIS SECTION SHALL BE
13 CONSIDERED BY THE BOARD OF LIQUOR LICENSE COMMISSIONERS AS A REGULAR
14 LICENSE AND NOT AN EXCEPTION LICENSE FOR DETERMINING THE TOTAL NUMBER
15 OF LICENSES AVAILABLE IN ANY ELECTION DISTRICT BASED ON THE RULE OF THE
16 BOARD OF LIQUOR LICENSE COMMISSIONERS THAT LIMITS THE TOTAL NUMBER OF
17 LICENSES AVAILABLE BY POPULATION.

18 (4) ON THE DATE OF TRANSFER, A LICENSE TRANSFERRED UNDER THIS
19 SECTION SHALL BE CONVERTED INTO A CLASS B (TRD) LICENSE AND MAY NOT BE
20 CONSTRUED TO EXIST IN THE ELECTION DISTRICT FROM WHERE IT WAS
21 TRANSFERRED.

22 (C) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, THE LICENSE
23 ISSUANCE REQUIREMENTS, LICENSE FEE, THE MINIMUM SQUARE FOOT AREA
24 REQUIREMENT FOR FOOD AND BEVERAGE PREPARATION AND CONSUMPTION, AND
25 DAYS AND HOURS OF SALE FOR A CLASS B (TRD) (ON-SALE) LICENSE ARE THE SAME
26 AS THOSE FOR A CLASS B BEER, WINE AND LIQUOR (ON-SALE) HOTEL AND
27 RESTAURANT LICENSE.

28 (D) (1) THE CLASS B (TRD) LICENSES MAY BE ISSUED ONLY FOR A LOCATION
29 WITHIN THE TOWSON REVITALIZATION DISTRICT, AS DEFINED BY THE BALTIMORE
30 COUNTY COUNCIL.

31 (2) THE LICENSE SHALL BE USED IN CONJUNCTION WITH THE
32 OPERATION OF A RESTAURANT, AS DEFINED IN THIS ARTICLE AND IN THE
33 REGULATIONS OF THE BOARD OF LIQUOR LICENSE COMMISSIONERS.

34 (3) THE RESTAURANT OPERATION SHALL MAINTAIN AVERAGE DAILY
35 RECEIPTS FROM THE SALE OF FOOD AT LEAST 60% OF THE TOTAL DAILY RECEIPTS
36 OF THE RESTAURANT.

1 (4) THE SEATING CAPACITY FOR THE BAR AREA MAY NOT EXCEED 30%
2 OF THE TOTAL SEATING CAPACITY OF THE RESTAURANT.

3 (5) THE AREA DEDICATED TO THE RESTAURANT OPERATION SHALL
4 HAVE A MINIMUM SEATING CAPACITY OF 100 PERSONS.

5 (6) THE HOURS DURING WHICH THE PRIVILEGES CONFERRED BY THE
6 LICENSE MAY BE EXERCISED MAY NOT EXCEED THE HOURS DURING WHICH FOOD IS
7 OFFERED FOR SALE.

8 (E) AN APPLICANT FOR TRANSFER OF A CLASS B OR CLASS D LICENSE AND
9 ISSUANCE OF A CLASS B (TRD) LICENSE SHALL DEMONSTRATE TO THE BOARD OF
10 LIQUOR LICENSE COMMISSIONERS THAT THE RESTAURANT HAS A MINIMUM
11 CAPITAL INVESTMENT OF \$500,000.

12 (F) A CLASS B (TRD) LICENSE ISSUED UNDER THIS SECTION MAY NOT BE
13 TRANSFERRED FROM THE LOCATION OF ITS ISSUANCE OR BE CONVERTED INTO ANY
14 OTHER CLASS OF LICENSE.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 June 1, 2006. It shall remain effective for a period of 3 years and 7 months and, at the
17 end of December 31, 2009, with no further action required by the General Assembly,
18 this Act shall be abrogated and of no further force and effect.