

SENATE BILL 62

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8lr1449
CF 8lr0652

By: **Harford County Senators**

Introduced and read first time: January 14, 2008

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Harford County - Alcoholic Beverages - Repeal of Class BDR Licenses -**
3 **Additional Class B Licenses**

4 FOR the purpose of repealing in Harford County the Class BDR (deluxe restaurant)
5 beer, wine and liquor license and all of the privileges, location restrictions,
6 requirements, and other provisions associated with the Class BDR license;
7 increasing the maximum number of Class B licenses that may be issued to an
8 individual for the use of certain persons; and generally relating to alcoholic
9 beverages licenses in Harford County.

10 BY repealing and reenacting, without amendments,
11 Article 2B – Alcoholic Beverages
12 Section 6–201(n)(1)
13 Annotated Code of Maryland
14 (2005 Replacement Volume and 2007 Supplement)

15 BY repealing
16 Article 2B – Alcoholic Beverages
17 Section 6–201(n)(6)
18 Annotated Code of Maryland
19 (2005 Replacement Volume and 2007 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article 2B – Alcoholic Beverages
22 Section 9–101(k)(7)(ii) and 9–213(j)
23 Annotated Code of Maryland
24 (2005 Replacement Volume and 2007 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Article 2B – Alcoholic Beverages**

2 6–201.

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

4 [(6) (i) There is a special 7–day Class B (on–sale) license known as
5 the Class BDR (deluxe restaurant) beer, wine and liquor license.6 (ii) The license may be issued only in accordance with the
7 provisions of this paragraph.8 (iii) There may be a total of 2 Class BDR licenses issued in
9 accordance with the provisions of this paragraph.10 (iv) A current holder of any type of Class B alcoholic beverages
11 license issued in Harford County may apply for and be issued a Class BDR (beer, wine
12 and liquor) license only if the restaurant for which the Class BDR license is sought is
13 located within one of the following areas of Harford County:14 1. All of election district 1, precincts 1, 3, 4, 5, 6, 10, 16,
15 and 1–45, as that election district and those precincts existed on January 1, 2001;16 2. That area of election district 1, precinct 2, as that
17 election district and that precinct existed on January 1, 2001, that is south of a line
18 that runs along the center of Philadelphia Road beginning at the Harford
19 County–Baltimore County boundary line and ending at the intersection with Old
20 Mountain Road;21 3. That area of election district 1, precinct 7, as that
22 election district and that precinct existed on January 1, 2001, that is south of a line
23 that runs along the center of Philadelphia Road beginning at Old Mountain Road and
24 ending at Winter’s Run, which is the creek that forms the eastern boundary of precinct
25 7 of election district 1; or26 4. The area within the corporate limits of the
27 municipality of Aberdeen.28 (v) Subject to the provisions of subparagraph (vi) of this
29 paragraph, a person that does not currently hold any type of Class B alcoholic
30 beverages license in Harford County may apply for and be issued a maximum of two
31 Class BDR licenses as follows:32 1. A Class BDR license, regardless of the location of the
33 restaurant in Harford County; and

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

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

6 B. That area of election district 1, precinct 2, as that
7 election district and that precinct existed on January 1, 2001, that is south of a line
8 that runs along the center of Philadelphia Road beginning at the Harford
9 County–Baltimore County line and ending at the intersection with Old Mountain
10 Road;

11 C. That area of election district 1, precinct 7, as that
12 election district and that precinct existed on January 1, 2001, that is south of a line
13 that runs along the center of Philadelphia Road beginning at Old Mountain Road and
14 ending at Winter’s Run, which is the creek that forms the eastern boundary of precinct
15 7 of election district 1; or

16 D. The area within the corporate limits of the
17 municipality of Aberdeen.

18 (vi) A person that has obtained a Class BDR license under
19 subparagraph (v)1 of this paragraph may not apply for and obtain any other Class B
20 license other than a license obtained in accordance with subparagraph (v)2 of this
21 paragraph.

22 (vii) This license may only be issued to restaurants that:

23 1. Meet the definition requirements of “restaurant”
24 established under the regulations of the Liquor Control Board;

25 2. Have a cocktail lounge or bar area seating capacity
26 not exceeding 25% of the seating capacity for dining; and

27 3. Subject to subparagraph (viii) of this paragraph, have
28 a minimum capital investment of \$800,000 exclusive of the cost of the land.

29 (viii) For purposes of subparagraph (vii) of this paragraph:

30 1. “Capital investment” means the amount paid to
31 acquire property:

32 A. For a useful life of greater than 1 year; or

33 B. For a permanent improvement or betterment of the
34 property that has a useful life greater than 1 year;

1 2. At least 1 of the licensees is a resident operator of the
2 business conducted on the licensed premises and that same individual is responsible
3 for the day to day operation of the license;

4 3. All licensees, including the resident applicant, are
5 named officers of the corporation; and

6 4. The residency requirement in effect at the time the
7 license is issued remains in effect as long as the license is in effect.

8 9-213.

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

14 (2)] The maximum number of Class B[, including Class BDR,] licenses
15 that may be issued by the Liquor Control Board to an individual for the use of a sole
16 practitioner, partnership, corporation, unincorporated association, or limited liability
17 company in the county is [two] **10**.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 July 1, 2008.