

HOUSE BILL 1026

A2

9lr0851

By: **Prince George's County Delegation**

Introduced and read first time: February 13, 2009

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Alcoholic Beverages License Application –**
3 **Resident Stock Ownership Requirement**

4 **PG 317–09**

5 FOR the purpose of altering, in Prince George's County, a certain percentage of
6 ownership of total issued capital stock of a corporation, close corporation, or
7 unincorporated association or percentage of interest in a limited liability
8 company that a resident of the county shall own in order to apply for an
9 alcoholic beverages license; repealing an obsolete provision; and generally
10 relating to an alcoholic beverages license in Prince George's County.

11 BY repealing and reenacting, with amendments,
12 Article 2B – Alcoholic Beverages
13 Section 9–101(d)
14 Annotated Code of Maryland
15 (2005 Replacement Volume and 2008 Supplement)

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

18 **Article 2B – Alcoholic Beverages**

19 9–101.

20 (d) (1) This subsection applies only in Prince George's County.

21 (2) If the application is made for a corporation or a club, whether
22 incorporated or unincorporated, or for a limited liability company, the license shall be
23 applied for by and be issued to 3 of the officers of a corporation or club, or 3 of the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 authorized persons of a limited liability company, as individuals, for the use of the
2 corporation, club, or limited liability company.

3 (3) In addition to the provisions of subsection (a)(3) of this section, a
4 license may not be issued, renewed, or transferred to an individual applying on behalf
5 of a corporation, unincorporated association, or limited liability company, unless bona
6 fide residents of Prince George's County own [25] 4 percent of the total issued capital
7 stock of the corporation or unincorporated association or [25] 4 percent of the interests
8 of the limited liability company, as the case may be.

9 (4) The application for a license shall:

10 (i) Set forth the names and addresses of all the officers of the
11 corporation or club or of all the authorized persons of a limited liability company;

12 (ii) Be signed by the president or vice president of a corporation
13 or club or the 3 officers or authorized persons, as the case may be, to whom the license
14 is issued;

15 (iii) Disclose the name and address of the corporation, club,
16 partnership, association, or limited liability company as well as the names and
17 addresses of the applicants; and

18 (iv) In the case of a corporation where there are less than 3
19 officers or directors of the corporation, or in the case of a limited liability company
20 where there are less than 3 authorized persons, all officers, directors, or authorized
21 persons, as the case may be, shall make the application.

22 (5) If a close corporation has no officers or directors, in order to make
23 the application:

24 (i) At least [25] 4 percent of the stock shall be held by Prince
25 George's County residents;

26 (ii) There shall be an affirmative vote of the stockholders
27 holding a majority of the stock;

28 (iii) At least 1 stockholder shall apply for the license as provided
29 in this section; and

30 (iv) The applicants or the corporation shall furnish annually to
31 the Board of License Commissioners a sworn statement giving the name and address
32 of each stockholder of the corporation and the number of shares that each stockholder
33 owns in his name on which he has a right to vote at any stockholder meeting.

34 (6) This section does not apply to racetrack licenses, Class BLX
35 licenses, arena licenses, Class BCE (catering) licenses, Class B-CC (convention center)

1 licenses, Class B/ECF (educational conference facility) licenses, issuance, renewal, or
2 transfer of Class B-DD (development district) licenses, or to businesses whose sales of
3 stock or interests are authorized for sale by the Securities and Exchange Commission
4 of the United States.

5 [(7) Current licensees shall comply with the provisions of this section
6 by July 1, 1985.]

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2009.