

HOUSE BILL 1027

A2

9lr1424

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 - Extinguishment of Licenses**

3 **PG 323-09**

4 FOR the purpose of requiring the Prince George's County Board of License
5 Commissioners to declare an alcoholic beverages license to be extinguished
6 under certain circumstances; specifying that an extinguished license may not be
7 replaced by the Board and that an extinguished license counts as one in a
8 certain list of licenses; providing an exception to a certain licensing restriction;
9 and generally relating to alcoholic beverages licenses in Prince George's County.

10 BY repealing and reenacting, with amendments,
11 Article 2B - Alcoholic Beverages
12 Section 9-102(a) and 9-217(b)
13 Annotated Code of Maryland
14 (2005 Replacement Volume and 2008 Supplement)

15 BY repealing and reenacting, without amendments,
16 Article 2B - Alcoholic Beverages
17 Section 9-217(a)
18 Annotated Code of Maryland
19 (2005 Replacement Volume and 2008 Supplement)

20 BY adding to
21 Article 2B - Alcoholic Beverages
22 Section 9-217(b-1)
23 Annotated Code of Maryland
24 (2005 Replacement Volume and 2008 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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 9-102.

5 (a) No more than one license provided by this article, except by way of
6 renewal or as otherwise provided in this section, shall be issued in any county or
7 Baltimore City, to any person, or for the use of any partnership, corporation,
8 unincorporated association, or limited liability company, in Baltimore City or any
9 county of the State, and no more than one license shall be issued for the same
10 premises except as provided in §§ 2-201 through 2-208, 2-301, and 6-701 of this
11 article, and nothing herein shall be construed to apply to § 6-201(r)(4), (15), and (17), §
12 7-101(b) and (c), § 8-202(g)(2)(ii) and (iii), § 8-508, § **9-217(B-1)**, or § 12-202 of this
13 article.

14 9-217.

15 (a) This section applies only in Prince George’s County.

16 (b) **[The] SUBJECT TO SUBSECTION (B-1) OF THIS SECTION, THE** number
17 of licenses of each class of alcoholic beverage licenses may not exceed the following
18 maximum amounts:

| | | |
|----|--|-----|
| 19 | (1) Beer license, Class A | 19 |
| 20 | (2) Beer license, Class B | 23 |
| 21 | (3) Beer license, Class C | 3 |
| 22 | (4) Beer license, Class D | 76 |
| 23 | (5) Beer and light wine license, Class A..... | 26 |
| 24 | (6) Beer and light wine license, Class B..... | 45 |
| 25 | (7) Beer and light wine license, Class B-GC | 4 |
| 26 | (8) Beer and light wine license, Class B-Stadium | 1 |
| 27 | (9) Beer and light wine license, Class C..... | 8 |
| 28 | (10) Beer and light wine license, Class D | 55 |
| 29 | (11) Beer, wine and liquor license, Class A..... | 142 |

1 (12) Beer, wine and liquor license, Class B..... 185

2 (13) Beer, wine and liquor license, Class BCE 8

3 (14) Beer, wine and liquor license, Class B–CI..... 2

4 (15) Reserved.

5 (16) Beer, wine and liquor license, Class B/ECF 1

6 (17) Beer, wine and liquor license, Class B–ECF/DS 1

7 (18) Beer, wine and liquor license, Class B–ECR..... 1

8 (19) Beer, wine and liquor license, Class B–Stadium 1

9 (20) Beer, wine and liquor license, Class C

10 (i) Under § 6–301(r)(2)..... 30

11 (ii) Under § 6–301(r)(3)..... 25

12 (iii) Under § 6–301(r)(4)..... 4

13 (iv) Under § 6–301(r)(5)..... 12

14 (v) Under § 6–301(r)(7)..... 1

15 **(B–1) (1) THE BOARD OF LICENSE COMMISSIONERS SHALL DECLARE A**
 16 **LICENSE TO BE EXTINGUISHED IF THE HOLDER OF THE LICENSE:**

17 **(I) INFORMS THE BOARD IN WRITING OF THE INTENT NOT**
 18 **TO OPERATE AN ESTABLISHMENT FOR WHICH THE LICENSE WAS ISSUED; AND**

19 **(II) PROVIDES EVIDENCE TO SATISFY THE BOARD THAT**
 20 **ALL TAXES OR OBLIGATIONS TO WHOLESALERS OR OTHER PERSONS HAVE BEEN**
 21 **PAID.**

22 **(2) A LICENSE THAT IS EXTINGUISHED UNDER THIS SUBSECTION:**

23 **(I) MAY NOT BE REPLACED BY THE BOARD; AND**

24 **(II) COUNTS AS ONE OF THE NUMBER OF LICENSES IN THE**
 25 **APPROPRIATE CLASS LISTED IN SUBSECTION (B) OF THIS SECTION.**

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