

# SENATE BILL 1062

A2, L5

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By: **Senator Exum**

Constitutional Requirements Complied with for Introduction in the last 35 Days of Session

Introduced and read first time: March 17, 2009

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, March 29, 2009

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Committee Report: Favorable

Senate action: Adopted

Read second time: April 4, 2009

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Prince George's County - Issuance of Alcoholic Beverages Licenses and Park**  
3 **Permits - Notice to Police Department**

4 FOR the purpose of requiring the Prince George's County Board of License  
5 Commissioners to notify the county police department of certain information  
6 when the Board issues a special Class C beer, wine and liquor license; requiring  
7 the Maryland-National Capital Park and Planning Commission to notify the  
8 Prince George's County Police Department of certain information when the  
9 Commission issues a park permit for holding a party in a park or facility in the  
10 county; making certain stylistic changes; and generally relating to alcoholic  
11 beverages licenses and park permits in Prince George's County.

12 BY repealing and reenacting, without amendments,  
13 Article 2B - Alcoholic Beverages  
14 Section 7-101(d)(1)(i)  
15 Annotated Code of Maryland  
16 (2005 Replacement Volume and 2008 Supplement)

17 BY repealing and reenacting, with amendments,  
18 Article 2B - Alcoholic Beverages  
19 Section 7-101(d)(11)  
20 Annotated Code of Maryland  
21 (2005 Replacement Volume and 2008 Supplement)

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY repealing and reenacting, with amendments,  
 2 Article 28 – Maryland–National Capital Park and Planning Commission  
 3 Section 5–110  
 4 Annotated Code of Maryland  
 5 (2003 Replacement Volume and 2008 Supplement)

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

8 **Article 2B – Alcoholic Beverages**

9 7–101.

10 (d) (1) (i) A special Class C beer, wine and liquor license entitles the  
 11 holder to exercise any of the privileges conferred by this class of license for the use of  
 12 any person holding a bona fide entertainment conducted by a club, society, or  
 13 association at the place described for a period not exceeding seven consecutive days,  
 14 upon the payment of a fee of \$15 per day.

15 (11) (I) **[In] THIS PARAGRAPH APPLIES ONLY IN** Prince George’s  
 16 County[;].

17 [(i)] (II) Except as provided in item [(ii)] (III) of this  
 18 paragraph, the fee is \$150 per day[;].

19 [(ii)] (III) For a club, society, or association holding a casino or  
 20 gambling event, the fee is \$150 per day, which shall be paid by the club, society, or  
 21 association and shall be considered as part of the club’s, society’s, or association’s  
 22 special license fee[; and].

23 (IV) **WHEN THE BOARD OF LICENSE COMMISSIONERS**  
 24 **ISSUES A LICENSE UNDER THIS PARAGRAPH, THE BOARD SHALL NOTIFY THE**  
 25 **COUNTY POLICE DEPARTMENT AS TO THE TIME, PLACE, AND EXPECTED SIZE OF**  
 26 **THE EVENT FOR WHICH THE LICENSE IS ISSUED.**

27 [(iii)] (V) The Board of License Commissioners may deny an  
 28 application for this license if it is determined that the applicant does not qualify under  
 29 the provisions of this article.

30 **Article 28 – Maryland–National Capital Park and Planning Commission**

31 5–110.

32 (A) The Commission may (1) lease for a term not exceeding 40 years and  
 33 renew the lease from time to time for additional terms not exceeding ten years each, to

1 any responsible individual, partnership or corporation, any portion of the lands within  
2 the metropolitan district, acquired for park purposes under any of the provisions of  
3 this article. The Commission may not enter into any lease agreement in excess of 20  
4 years duration without the prior approval of the provisions of the lease by legislative  
5 enactment of the county in which the lease property is located in whole or in part.  
6 Further, all such lease agreements shall contain provisions for reversion without cost  
7 to the Commission of the property and its improvements regardless of whether the  
8 improvements were added to the property by the lessee during the term of the lease or  
9 any extension of the lease; and/or (2) grant privileges, permits, and/or concessions,  
10 and/or enter into contracts relating to the same, with any responsible individual,  
11 partnership, or corporation, to engage in any business or enterprise on lands acquired  
12 for park purposes within the metropolitan district under any of the provisions of this  
13 article; all on terms and conditions the Commission deems advantageous to the  
14 development of the park system as a part of the plan for the physical development of  
15 the metropolitan district and the plan of the Maryland–Washington Regional District  
16 within the metropolitan district. The purpose for which the property is leased, and/or  
17 the privileges, permits, and/or concessions are granted, may not be inconsistent with  
18 the use of the property for park purposes. Any lease and/or contract executed under  
19 the authority of this section shall contain a condition, stating specifically the purposes  
20 for which the property is leased, and/or the privilege, permit, or concession is granted.  
21 All agreements entered into by the Commission pursuant to this article shall contain  
22 provisions forbidding the assignment of the agreement without the consent of the  
23 Commission. This article may not be interpreted as a limitation on the Commission’s  
24 authority to require in any agreement more restrictive provisions deemed by the  
25 Commission to be in the public interest. The provisions of this article may not be  
26 construed to validate any lease or agreement executed prior to July 1, 1972, which  
27 provides for an initial term beyond 20 years duration, nor to permit the renegotiation  
28 of any lease or agreement executed prior to July 1, 1972, for the purpose of extending  
29 the initial term of the lease beyond 20 years duration. This limitation does not apply to  
30 any lease with a nonprofit, service–oriented organization.

31 **(B) WHEN THE COMMISSION ISSUES A PARK PERMIT FOR HOLDING A**  
32 **PARTY IN A PARK OR FACILITY IN PRINCE GEORGE’S COUNTY, THE**  
33 **COMMISSION SHALL NOTIFY THE PRINCE GEORGE’S COUNTY POLICE**  
34 **DEPARTMENT AS TO THE TIME, PLACE, AND EXPECTED SIZE OF THE PARTY FOR**  
35 **WHICH THE PARK PERMIT IS ISSUED.**

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