

HOUSE BILL 567

A2

01r0691

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

Introduced and read first time: February 3, 2010

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Alcoholic Beverages – License Fees**

3 **PG 305–10**

4 FOR the purpose of altering the fees for certain alcoholic beverages licenses in
5 George's County; repealing a certain alcoholic beverages license in Prince
6 George's County; increasing the percentage of alcohol by volume in wine for
7 consumption purposes allowed under a certain wine tasting license in Prince
8 George's County; and generally relating to alcoholic beverages in Prince
9 George's County.

10 BY repealing and reenacting, with amendments,

11 Article 2B – Alcoholic Beverages

12 Section 3–101(r), 3–201(r)(1), 3–301(r), 3–401(r), 5–101(r), 5–201(r)(2) and
13 (4)(ii), 5–301(r), 5–401(r), 6–101(r), 6–201(r)(2)(i)1., (ii)2., and (iii)2., (3)(i),
14 (5)(ii), (6)(ii), (8)(ii), (9)(ii), (10)(ii), (11)(ii), (12)(ii), (13)(ii), (14)(ii), (15)(iii),
15 (16)(iii), and (17)(iii), 6–301(r)(2)(ii), (3)(ii), (4)(ii), (5)(ii), (6)(ii), and (7)(ii),
16 7–101(b)(11)(i), (d)(11)(i), and (x), 8–409(a), 8–505(b)(5), 8–702(e)(1), and
17 8–1001(e)

18 Annotated Code of Maryland

19 (2005 Replacement Volume and 2009 Supplement)

20 BY repealing and reenacting, without amendments,

21 Article 2B – Alcoholic Beverages

22 Section 5–201(r)(1) and (4)(i) and (iii), 6–201(r)(1)(i), (2)(i)2., (ii)1., and (iii)1.,
23 (5)(i), (6)(i), (8)(i), (9)(i), (10)(i), (11)(i), (12)(i), (13)(i), (14)(i), (15)(i),
24 (16)(ii), and (17)(i), 6–301(r)(1), (2)(i), (3)(i), (4)(i), (5)(i), (6)(i), and (7)(i),
25 7–101(b)(11)(ii) and (d)(11)(ii), 8–702(b) and (c), and 8–1001(b) and (c)

26 Annotated Code of Maryland

27 (2005 Replacement Volume and 2009 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing
2 Article 2B – Alcoholic Beverages
3 Section 6–201(r)(7)
4 Annotated Code of Maryland
5 (2005 Replacement Volume and 2009 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 3–101.

10 (r) In Prince George’s County the annual license fee is **[\$220] \$245.**

11 3–201.

12 (r) (1) In Prince George’s County the annual license fee is **[\$330] \$365.**

13 3–301.

14 (r) In Prince George’s County the annual license fee is **[\$220] \$245.**

15 3–401.

16 (r) In Prince George’s County the annual license fee is **[\$330] \$365.**

17 5–101.

18 (r) In Prince George’s County the annual license fee is **[\$220] \$245.**

19 5–201.

20 (r) (1) This subsection applies only in Prince George’s County.

21 (2) The annual license fee is **[\$330] \$365.**

22 (4) (i) There is a Class B–Stadium beer and light wine license.

23 (ii) The annual license fee is **[\$2,200] \$2,420.**

24 (iii) The license is a special 7–day Class B–Stadium (baseball
25 stadium) license for on–sale consumption only for exclusive use on the premises of a
26 baseball stadium owned or operated by the Maryland–National Capital Park and
27 Planning Commission.

28 5–301.

1 (r) In Prince George's County the annual license fee is [~~\$220~~] **\$245.**

2 5-401.

3 (r) In Prince George's County the annual license fee is [~~\$330~~] **\$365.**

4 6-101.

5 (r) In Prince George's County the annual license fee is [~~\$825~~] **\$910.**

6 6-201.

7 (r) (1) (i) This subsection applies only in Prince George's County.

8 (2) (i) 1. The annual license fee is [~~\$1,320~~] **\$1,455.**

9 2. The licensee may not make any sale of alcoholic
10 beverages for consumption off the licensed premises except from the main bar and
11 within the main portion of the dining room facilities.

12 (ii) 1. A separate license fee may be charged whenever the
13 applicant for or holder of a Class B (on-sale) beer, wine and liquor license proposes to
14 or in fact establishes and conducts on the licensed premises, an area or portion of
15 these licensed premises, where there are maintained "off-sale" shelves or counters not
16 contained within and an integral part of the main bar and in the main dining facilities
17 where the majority of the meals are served and consumed in the licensed premises
18 (whether enclosed or opened, partitioned or otherwise partly separated from the main
19 bar or the usual serving area within these premises for the sale of alcoholic beverages
20 for consumption on the premises and not part of the premises where the major portion
21 of meals are served and consumed in these licensed premises) for the sale of alcoholic
22 beverages for consumption off the licensed premises.

23 2. The annual license fee is [~~\$2,200~~] **\$2,420.**

24 (iii) 1. The license holder under this subsection may sell
25 alcoholic beverages for consumption off the premises from any portion of these
26 premises other than from the main bar, or the usual place maintained for sale of
27 alcoholic beverages for consumption on the premises and where the major portion of
28 the meals are consumed in these premises.

29 2. The annual license fee for this privilege is [~~\$2,200~~]
30 **\$2,420.**

31 (3) (i) This license may be issued to any agricultural association,
32 agricultural fair association or any other association duly authorized to conduct racing
33 under the provisions of the Maryland Horse Racing Act where restaurant facilities are

1 available or to duly authorized concessionaires of any association, or to any
2 organization on any other day, exclusive of racing days, where the premises and
3 facilities of this association are used for a limited period of time for legitimate
4 theatrical productions, social receptions, and any bona fide entertainment conducted
5 by any club, society or association, or for any bona fide religious, fraternal, civic, war
6 veterans, hospital or charitable organizations upon payment of a license fee of ~~[\$55]~~
7 **\$60** per day for the period of this license.

8 (5) (i) There is a special Sunday “on-sale” permit.

9 (ii) The annual fee for a special Sunday “on-sale” permit is
10 ~~[\$770]~~ **\$850**, which is in addition to the annual fee for the Class B beer, wine and
11 liquor license to which it is attached.

12 (6) (i) There is a Class BLX license, which is a special Class B
13 license.

14 (ii) The annual license fee is ~~[\$2,750]~~ **\$3,025**.

15 [(7) (i) 1. There is an arena license.

16 2. “Person” means a natural person, an association, a
17 firm, a partnership, a corporation, or the County Council of Prince George’s County.

18 (ii) The annual license fee is \$11,000.

19 (iii) 1. The Board may issue a Class B beer, wine and liquor
20 license, known as an “arena license”, for the sale of beer, wine, and liquor by the drink
21 and by the bottle within the arena, from one or more outlets, for consumption on the
22 licensed premises.

23 2. This license shall be issued only to the person, firm, or
24 corporation owning or leasing an arena, one of whom shall be a resident of the State of
25 Maryland, or to a concessionaire designated by the person, firm, or corporation owning
26 or leasing the arena. The concessionaire need not be a resident of the State of
27 Maryland.

28 (iv) The Board shall prescribe regulations pertaining to the
29 manner of dispensing alcoholic beverages, the number of outlets authorized to
30 dispense alcoholic beverages, and the hours and days of sale.

31 (v) The licensee is subject to all of the provisions of this article
32 and to the regulations of the Board.

33 (vi) The residency requirements specified in § 9–101 of this
34 article as it pertains to Prince George’s County do not apply to arena licenses.]

- 1 (8) (i) There is a Class BCE license.
- 2 (ii) The annual license fee is [~~\$3,300~~] **\$3,630**.
- 3 (9) (i) There is a Class B/ECF license.
- 4 (ii) The annual fee is [~~\$3,850~~] **\$4,325**.
- 5 (10) (i) There is a special Class B license known as Class B–CI.
- 6 (ii) The annual license fee is [~~\$1,375~~] **\$1,515**.
- 7 (11) (i) There is a Class B–ECR license.
- 8 (ii) The annual license fee is [~~\$2,200~~] **\$2,420**.
- 9 (12) (i) There is a Class B–ECF/DS license.
- 10 (ii) The annual license fee is [~~\$6,750~~] **\$7,425**.
- 11 (13) (i) There is a Class B beer, wine and liquor stadium license.
- 12 (ii) The annual license fee is [~~\$19,800~~] **\$21,780**.
- 13 (14) (i) There is a Class B–MB/22 license, which may be issued only
14 to a holder of a Class 7 micro–brewery license in the 22nd legislative district.
- 15 (ii) The annual license fee is [~~\$990~~] **\$1,090**.
- 16 (15) (i) There is a Class B–DD (development district) 7–day beer,
17 wine and liquor license.
- 18 (iii) The annual license fee is [~~\$2,750~~] **\$3,025**.
- 19 (16) (ii) There is a Class B (TP) beer, wine and liquor theme park
20 license.
- 21 (iii) The annual license fee is [~~\$3,900~~] **\$4,290**.
- 22 (17) (i) There is a Class B–CC (convention center) beer, wine and
23 liquor license.
- 24 (iii) The annual license fee is [~~\$20,000~~] **\$22,000**.
- 25 6–301.

- 1 (r) (1) This subsection applies only in Prince George's County.
- 2 (2) (i) There is a veterans' license.
- 3 (ii) The annual license fee is [~~\$825~~] **\$910**.
- 4 (3) (i) There is a fraternal/sororal/service license.
- 5 (ii) The annual license fee is [~~\$825~~] **\$910**.
- 6 (4) (i) There is a special Class C (yacht club) license in Prince
7 George's County.
- 8 (ii) The annual license fee is [~~\$1,430~~] **\$1,575**.
- 9 (5) (i) There is a special Class C (golf and country club) license.
- 10 (ii) The annual license fee is [~~\$1,650~~] **\$1,815**.
- 11 (6) (i) There is a special Class C (country club) license.
- 12 (ii) The annual license fee is [~~\$1,000~~] **\$1,100**.
- 13 (7) (i) There is a special Class C (concession) beer, wine and liquor
14 license.
- 15 (ii) The annual license fee is [~~\$1,650~~] **\$1,815**. The fee shall be
16 paid prior to its issuance, regardless of any terms or conditions in any contractual
17 agreement between the concessionaire and Prince George's County.
- 18 7-101.
- 19 (b) (11) In Prince George's County:
- 20 (i) Except as provided in item (ii) of this paragraph, the fee is
21 [~~\$50~~] **\$75** per day;
- 22 (ii) For a club, society, or association holding a casino or
23 gambling event, the fee is \$100 per day, which shall be paid by the club, society, or
24 association and shall be considered as part of the club's, society's, or association's
25 special license fee; and
- 26 (d) (11) In Prince George's County:
- 27 (i) Except as provided in item (ii) of this paragraph, the fee is
28 [~~\$150~~] **\$200** per day;

1 (ii) For a club, society, or association holding a casino or
2 gambling event, the fee is \$150 per day, which shall be paid by the club, society, or
3 association and shall be considered as part of the club's, society's, or association's
4 special license fee; and

5 (x) (1) This subsection applies only in Prince George's County.

6 (2) The Board of License Commissioners may issue a special 3-day
7 Class C beer, wine and liquor license to a nonprofit organization that is exempt from
8 taxation under § 501(c)(3) of the Internal Revenue Code.

9 (3) The special license entitles the holder to sell beer, wine, or liquor
10 at the National Harbor.

11 (4) Beer, wine, and liquor sold under the special license may be
12 consumed on or off the premises.

13 (5) The fee for a special license is [~~\$150~~] **\$200** per day.

14 (6) The special license may not be issued to any one organization for
15 more than 3 consecutive days in a single calendar year.

16 (7) (i) A holder of the special license shall purchase beer, wine, or
17 liquor only from a wholesaler licensed in the State.

18 (ii) A wholesaler licensed in the State may donate alcoholic
19 beverages to the holder of the special license.

20 8-409.

21 (a) (1) In Prince George's County, the Board of License Commissioners
22 may approve the issuance of a wine tasting (WT) alcoholic beverages license.

23 (2) The license is issued only to holders of a beer, wine and liquor
24 (BWL) or a beer and wine (BW) license.

25 (3) The license permits the consumption of wine, containing not more
26 than [14] **15.5** percent of alcohol by volume, for tasting or sampling purposes only.

27 (4) The licensee may not serve more than 1 ounce from each given
28 brand to any one person.

29 (5) The annual license fee:

30 (i) For holders of a BWL license, is [~~\$110~~] **\$120** in addition to
31 the cost of the BWL license; and

1 (ii) For holders of a BW license, is ~~[\$110]~~ **\$120** in addition to
2 the cost of the BW license.

3 8-505.

4 (b) (5) The annual fee for a special 7-day Class B-GC on-sale beer and
5 wine license is ~~[\$330]~~ **\$365**.

6 8-702.

7 (b) This section applies only in the City of Greenbelt, Prince George's
8 County.

9 (c) There is a Class B-DH (drafhhouse) license.

10 (e) (1) The annual license fee is ~~[\$220]~~ **\$245**.

11 8-1001.

12 (b) This section applies only in Prince George's County.

13 (c) There is a Class B-RD license.

14 (e) The annual license fee is ~~[\$660]~~ **\$725**.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 July 1, 2010.