

HOUSE BILL 570

A2
HB 1027/09 – ECM

0lr0735

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 – Extinguishment of Licenses**

3 **PG 306–10**

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 2009 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 2009 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 2009 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.



Article 2B – Alcoholic Beverages

9–102.

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

9–217.

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

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

(1)	Beer license, Class A	19
(2)	Beer license, Class B	23
(3)	Beer license, Class C	3
(4)	Beer license, Class D	76
(5)	Beer and light wine license, Class A.....	26
(6)	Beer and light wine license, Class B.....	45
(7)	Beer and light wine license, Class B–GC	4
(8)	Beer and light wine license, Class B–Stadium	1
(9)	Beer and light wine license, Class C.....	8
(10)	Beer and light wine license, Class D	55
(11)	Beer, wine and liquor license, Class A.....	142
(12)	Beer, wine and liquor license, Class B.....	185

1	(13)	Beer, wine and liquor license, Class BCE	8
2	(14)	Beer, wine and liquor license, Class B–CI.....	2
3	(15)	Reserved.	
4	(16)	Beer, wine and liquor license, Class B/ECF	1
5	(17)	Beer, wine and liquor license, Class B–ECF/DS	1
6	(18)	Beer, wine and liquor license, Class B–ECR.....	1
7	(19)	Beer, wine and liquor license, Class B–Stadium	1
8	(20)	Beer, wine and liquor license, Class C	
9	(i)	Under § 6–301(r)(2).....	30
10	(ii)	Under § 6–301(r)(3).....	25
11	(iii)	Under § 6–301(r)(4).....	4
12	(iv)	Under § 6–301(r)(5).....	12
13	(v)	Under § 6–301(r)(7).....	1

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

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

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

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

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

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

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