

Chapter 156

(House Bill 567)

AN ACT concerning

Prince George's County – Alcoholic Beverages – License Fees and Salaries of Inspectors

PG 305–10

FOR the purpose of altering the fees for certain alcoholic beverages licenses in Prince George's County; repealing a certain alcoholic beverages license in Prince George's County; increasing the percentage of alcohol by volume in wine for consumption purposes allowed under a certain wine tasting license in Prince George's County; requiring that alcoholic beverages inspectors in Prince George's County shall receive a certain annual salary; and generally relating to alcoholic beverages in Prince George's County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 3–101(r), 3–201(r)(1), 3–301(r), 3–401(r), 5–101(r), 5–201(r)(2) and (4)(ii), 5–301(r), 5–401(r), 6–101(r), 6–201(r)(2)(i)1., (ii)2., and (iii)2., (3)(i), (5)(ii), (6)(ii), (8)(ii), (9)(ii), (10)(ii), (11)(ii), (12)(ii), (13)(ii), (14)(ii), (15)(iii), (16)(iii), and (17)(iii), 6–301(r)(2)(ii), (3)(ii), (4)(ii), (5)(ii), (6)(ii), and (7)(ii), 7–101(b)(11)(i), (d)(11)(i), and (x), 8–409(a), 8–505(b)(5), 8–702(e)(1), ~~and~~ 8–1001(e), and 15–109(r)(6)

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 5–201(r)(1) and (4)(i) and (iii), 6–201(r)(1)(i), (2)(i)2., (ii)1., and (iii)1., (5)(i), (6)(i), (8)(i), (9)(i), (10)(i), (11)(i), (12)(i), (13)(i), (14)(i), (15)(i), (16)(ii), and (17)(i), 6–301(r)(1), (2)(i), (3)(i), (4)(i), (5)(i), (6)(i), and (7)(i), 7–101(b)(11)(ii) and (d)(11)(ii), 8–702(b) and (c), ~~and~~ 8–1001(b) and (c), and 15–109(r)(1)

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

BY repealing

Article 2B – Alcoholic Beverages

Section 6–201(r)(7)

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

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

Article 2B – Alcoholic Beverages

3–101.

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

3–201.

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

3–301.

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

3–401.

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

5–101.

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

5–201.

- (r) (1) This subsection applies only in Prince George’s County.
- (2) The annual license fee is [~~\$330~~] **\$365**.
- (4) (i) There is a Class B–Stadium beer and light wine license.
- (ii) The annual license fee is [~~\$2,200~~] **\$2,420**.

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

5–301.

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

5-401.

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

6-101.

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

6-201.

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

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

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

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

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

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

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

(3) (i) This license may be issued to any agricultural association, agricultural fair association or any other association duly authorized to conduct racing under the provisions of the Maryland Horse Racing Act where restaurant facilities are available or to duly authorized concessionaires of any association, or to any organization on any other day, exclusive of racing days, where the premises and

facilities of this association are used for a limited period of time for legitimate theatrical productions, social receptions, and any bona fide entertainment conducted by any club, society or association, or for any bona fide religious, fraternal, civic, war veterans, hospital or charitable organizations upon payment of a license fee of ~~[\$55]~~ **\$60** per day for the period of this license.

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

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

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

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

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

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

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

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

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

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

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

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

(8) (i) There is a Class BCE license.

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

6–301.

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

- (2) (i) There is a veterans' license.
- (ii) The annual license fee is [~~\$825~~] **\$910**.
- (3) (i) There is a fraternal/sororal/service license.
- (ii) The annual license fee is [~~\$825~~] **\$910**.
- (4) (i) There is a special Class C (yacht club) license in Prince George's County.
- (ii) The annual license fee is [~~\$1,430~~] **\$1,575**.
- (5) (i) There is a special Class C (golf and country club) license.
- (ii) The annual license fee is [~~\$1,650~~] **\$1,815**.
- (6) (i) There is a special Class C (country club) license.
- (ii) The annual license fee is [~~\$1,000~~] **\$1,100**.
- (7) (i) There is a special Class C (concession) beer, wine and liquor license.
- (ii) The annual license fee is [~~\$1,650~~] **\$1,815**. The fee shall be paid prior to its issuance, regardless of any terms or conditions in any contractual agreement between the concessionaire and Prince George's County.

7-101.

- (b) (11) In Prince George's County:
 - (i) Except as provided in item (ii) of this paragraph, the fee is [~~\$50~~] **\$75** per day;
 - (ii) For a club, society, or association holding a casino or gambling event, the fee is \$100 per day, which shall be paid by the club, society, or association and shall be considered as part of the club's, society's, or association's special license fee; and
- (d) (11) In Prince George's County:
 - (i) Except as provided in item (ii) of this paragraph, the fee is [~~\$150~~] **\$200** per day;

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

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

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

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

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

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

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

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

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

8-409.

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

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

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

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

(5) The annual license fee:

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

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

8-505.

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

8-702.

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

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

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

8-1001.

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

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

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

15-109.

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

(6) (i) The County Council shall pay for all expenses of the Board of License Commissioners upon the submission of an annual budget.

(ii) In that budget, the salary of the members of the Board, the salary of the attorney for the Board, and any additional compensation for legal fees for the attorney for the Board, shall be approved as hereinbefore set forth.

(iii) [All] EXCEPT AS PROVIDED IN SUBPARAGRAPH (IV) OF THIS PARAGRAPH, ALL other expenses, including, but not restricted to, [the compensation of the inspectors.] the salary of the administrator as limited herein, compensation of other personnel, who shall be qualified and employed under the county merit system, printing, supplies, and office space, shall be at the discretion of the County Council.

(IV) EACH INSPECTOR SHALL RECEIVE AN ANNUAL SALARY OF \$10,900.

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

Approved by the Governor, April 13, 2010.