

SENATE BILL 9

A2

EMERGENCY BILL

11r0351

By: **Senators Glassman, Jacobs, and Jennings**

Introduced and read first time: January 14, 2011

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Harford County – Alcoholic Beverages – Special Class C–3 Miscellaneous**
3 **Organization or Club License**

4 FOR the purpose of establishing a special Class C–3 (on–sale) beer, wine and liquor
5 license in Harford County; specifying that the County Liquor Control Board
6 may issue a special Class C–3 license only to certain organizations and clubs;
7 authorizing a special Class C–3 license holder to sell or provide alcoholic
8 beverages to certain persons for consumption on the licensed premises under
9 certain circumstances; establishing certain annual fees for a special Class C–3
10 license; requiring the Board to prescribe a special Class C–3 license application
11 form; requiring an applicant for a special Class C–3 license to sign the
12 application form and pay the annual fee before being issued the license;
13 prohibiting the Board from issuing multiple special Class C–3 licenses to an
14 organization or club in any license year; limiting to a certain amount the total
15 number of days authorized for events held under a special Class C–3 license in
16 any license year; requiring a special Class C–3 license holder to notify the Board
17 of an event in writing within a certain period of time before each event;
18 providing that this Act does not preclude an organization or club from obtaining
19 a single event special Class C license; providing for the application of this Act;
20 making this Act an emergency measure; and generally relating to organization
21 and club licenses in Harford County.

22 BY repealing and reenacting, without amendments,
23 Article 2B – Alcoholic Beverages
24 Section 6–301(n)(1), (2), (3), and (6) and 7–101(a)(1), (b)(1)(i), and (d)(1)(i)
25 Annotated Code of Maryland
26 (2005 Replacement Volume and 2010 Supplement)

27 BY repealing and reenacting, with amendments,
28 Article 2B – Alcoholic Beverages
29 Section 7–101(v)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2005 Replacement Volume and 2010 Supplement)

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

5 **Article 2B – Alcoholic Beverages**

6 6–301.

7 (n) (1) This subsection applies only in Harford County.

8 (2) The Liquor Control Board may issue 6–day (Monday through
9 Saturday) and 7–day Class C–1, Class C–2, and Class C–3 (on–sale) organization or
10 club beer, wine and liquor licenses in accordance with this section.

11 (3) A license issued under this subsection authorizes the holder of the
12 license to sell or provide alcoholic beverages only for on–premises consumption by the
13 members and guests of the club or organization.

14 (6) (i) In this paragraph the following words have the meanings
15 indicated.

16 1. “Miscellaneous organization or club” means a country
17 club, a yacht or boat club, or topiary garden.

18 2. “Country club” means a club or organization that:

19 A. May be operated for profit or not for profit;

20 B. Has 75 or more bona fide members each of whom pays
21 not less than \$50 per year; and

22 C. Maintains at the time of the application for the
23 license and continues to maintain a regular or championship golf course of 9 holes or
24 more, or, instead of the golf course, a swimming pool at least 20 by 40 feet in size, and
25 at least 6 tennis courts.

26 3. “Topiary garden” means an organization that:

27 A. Operates a public museum and garden for its
28 membership and the general public as guests of the membership;

29 B. Is open to the general public for at least 6 days a week
30 for at least 6 hours a day during 5 months each year; and

31 C. Has food preparation facilities on the topiary garden
32 premises for the convenience of visiting guests.

1 **[(3)] (II)** The Board shall prescribe the form for the application and
2 the applicant shall sign it. The fee shall be paid before the license is issued.

3 **[(4)] (III)** The annual license fees are as follows for up to:

- 4 **[(i)] 1.** 10 events per year..... \$150;
- 5 **[(ii)] 2.** 20 events per year..... \$300;
- 6 **[(iii)] 3.** 30 events per year..... \$450; and
- 7 **[(iv)] 4.** 40 events per year..... \$600.

8 **[(5)] (IV)** A license may not be granted to a fire department more than
9 one time in any year.

10 **[(6)] (V)** The total number of days authorized by this special license
11 may not exceed 40 in any calendar year.

12 **[(7)] (VI)** A licensee shall notify the Board in writing at least 7 days
13 prior to each event.

14 **[(8)] (VII)** This [subsection] **PARAGRAPH** does not preclude a fire
15 department from obtaining a single event special Class C license under other
16 provisions of this section.

17 **(3) (I) THE BOARD MAY ISSUE A SPECIAL CLASS C-3**
18 **(ON-SALE) BEER, WINE AND LIQUOR LICENSE TO A MISCELLANEOUS**
19 **ORGANIZATION OR CLUB, AS DEFINED UNDER § 6-301(N)(6)(I)1 OF THIS**
20 **ARTICLE, THAT HOLDS A CLASS C-3 ORGANIZATION OR CLUB LICENSE.**

21 **(II) A SPECIAL CLASS C-3 LICENSE AUTHORIZES THE**
22 **HOLDER TO SELL OR PROVIDE BEER, WINE, AND LIQUOR ONLY FOR**
23 **ON-PREMISES CONSUMPTION BY:**

24 **1. NONMEMBERS OF THE ORGANIZATION OR CLUB**
25 **WHO HAVE LEASED AN AREA OF THE LICENSED PREMISES FOR A BONA FIDE**
26 **ENTERTAINMENT, CONFERENCE, OR SOCIAL EVENT; AND**

27 **2. GUESTS WHO ATTEND THE EVENT.**

28 **(III) THE BOARD SHALL PRESCRIBE THE FORM FOR THE**
29 **APPLICATION, AND THE APPLICANT SHALL SIGN IT.**

1 (IV) THE APPLICANT SHALL PAY THE LICENSE FEE BEFORE
2 THE BOARD ISSUES THE LICENSE.

3 (V) THE ANNUAL LICENSE FEES ARE AS FOLLOWS FOR UP
4 TO:

- 5 1. 10 EVENTS PER YEAR \$250;
- 6 2. 20 EVENTS PER YEAR \$400;
- 7 3. 30 EVENTS PER YEAR \$550;
- 8 4. 40 EVENTS PER YEAR \$700; AND
- 9 5. 60 EVENTS PER YEAR \$850.

10 (VI) THE BOARD MAY NOT ISSUE MORE THAN ONE LICENSE
11 TO A SINGLE MISCELLANEOUS ORGANIZATION OR CLUB IN ANY LICENSE YEAR.

12 (VII) THE TOTAL NUMBER OF DAYS AUTHORIZED FOR
13 EVENTS HELD UNDER A LICENSE MAY NOT EXCEED 40 IN ANY LICENSE YEAR.

14 (VIII) A LICENSE HOLDER SHALL NOTIFY THE BOARD OF AN
15 EVENT IN WRITING ON A PRESCRIBED FORM AT LEAST 7 DAYS BEFORE EACH
16 EVENT.

17 (IX) THIS PARAGRAPH DOES NOT PRECLUDE AN
18 ORGANIZATION OR CLUB FROM OBTAINING A SINGLE EVENT SPECIAL CLASS C
19 LICENSE UNDER OTHER PROVISIONS OF THIS SECTION.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply in
21 the alcoholic beverages license year beginning May 1, 2011, and in each alcoholic
22 beverages license year thereafter.

23 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency
24 measure, is necessary for the immediate preservation of the public health or safety,
25 has been passed by a yea and nay vote supported by three-fifths of all the members
26 elected to each of the two Houses of the General Assembly, and shall take effect from
27 the date it is enacted.