

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 874  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 3 and 4, in each instance, strike the first “a”; in line 3, strike “license” and substitute “licenses”; in line 4, strike “circumstance” and substitute “circumstances, notwithstanding certain provisions”; in line 10, strike “to a certain individual”; strike beginning with “prohibiting” in line 11 down through “consumption;” in line 13; in line 14, after “that” insert “certain applicants meet”; in line 15, strike “be met”; in line 20, strike “was purchased from and”; and in line 21, strike “authorizing” and substitute “requiring”.

On page 2, in line 1, after “(b),” insert “9-204.1(f)(1),”; in line 6, after “6-201(d)(1)(v)” insert “and (vi), 9-204.1(f)(2),”; and in line 11, after “8-203(e)” insert “and 9-204.1(f)(8)”.

AMENDMENT NO. 2

On page 3, in line 29, after “(v)” insert “1.”; in the same line, strike “In” and substitute “EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, IN”; in lines 33 and 36, strike “1.” and “2.”, respectively, and substitute “A.” and “B.”, respectively; in line 33, strike both brackets; and strike beginning with “EXCEPT” in line 33 down through “AFTER” in line 34.

On page 4, in lines 1, 4, and 7, strike “3.”, “4.”, and “5.”, respectively, and substitute “C.”, “D.”, and “2.”, respectively; in line 3, strike both brackets; in line 6, strike “; AND” and substitute a period; in line 7, strike “MAY” and substitute “A LICENSE SPECIFIED UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH MAY”; after line 9, insert:

(Over)

“(vi) The sales prohibition in subparagraph [(v)4] (v)1D of this paragraph does not apply to a Class B beer, wine and liquor licensee:

1. Whose license was issued before July 1, 1991; and
2. Who prior to July 1, 1991 operated the premises and exercised the sales privileges under the license on Sundays.”;

in line 20, strike “A” and substitute “SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, A”; strike beginning with the colon in line 21 down through “SUBSECTION,” in line 22; strike beginning with “; AND” in line 24 down through “PREMISES” in line 26; and in line 28, strike “(3)(I)” and substitute “(3)”.

On page 5, strike beginning with “IN” in line 12 down through “(6)” in line 15; in line 24, strike the period and substitute “; AND”; in line 25, strike “THE” and substitute “AN APPLICANT WHO HOLDS A LICENSE WITHOUT AN OFF-SALE PRIVILEGE SHALL MEET THE”; in line 27, strike “SHALL BE MET”; and in line 28, strike “(7)” and substitute “(6)”.

On page 6, in lines 1, 5, 11, and 16, strike “(8)”, “(9)”, “(10)”, and “(11)”, respectively, and substitute “(7)”, “(8)”, “(9)”, and “(10)”, respectively; in line 14, strike “WAS PURCHASED FROM AND”; in line 16, strike “MAY” and substitute “SHALL”; strike beginning with “, INCLUDING” in line 17 down through “ISSUED” in line 18; and after line 18, insert:

“9-204.1.

(f) (1) This subsection applies only in the 46th alcoholic beverages district.

(2) Notwithstanding § 6-201(d)(1)(vii) of this article, AND SUBJECT TO PARAGRAPH (8) OF THIS SUBSECTION, the Board may issue a Class B beer, wine and liquor license:

(i) For a restaurant in ward 26, precinct 8, if the restaurant has a minimum capital investment of \$700,000, a seating capacity exceeding 150 persons, and average daily receipts from the sale of food that are at least 65% of the total daily receipts of the restaurant;

(ii) For a restaurant in ward 4, precinct 1 or ward 22, precinct 1, if the restaurant has a minimum capital investment of \$700,000, a seating capacity that exceeds 75 persons, average daily receipts for the sale of food that are at least 65% of the total daily receipts of the restaurant, and no sales for off-premises consumption;

(iii) For not more than three restaurants in a residential planned unit development for Silo Point as approved by the Mayor and City Council of Baltimore City in Ordinance 04-697 on June 23, 2004, if the restaurant has a minimum capital investment of \$700,000, a seating capacity that exceeds 75 persons, average daily receipts from the sale of food that are at least 65% of the total daily receipts of the restaurant, and no sales for off-premises consumption; and

(iv) For not more than three restaurants in a business planned unit development in ward 24, precinct 5 of the 46th alcoholic beverages district, which at all times shall be coterminous with the 46th Legislative District in the Legislative Districting Plan of 2002 as ordered by the Maryland Court of Appeals on June 21, 2002, if each restaurant has a minimum capital investment of \$700,000, a seating capacity that exceeds 75 persons but is not more than 150 persons, average daily receipts from the sale of food that are at least 65% of the total daily receipts of the restaurant, and no sales for off-premises consumption.

(8) NOTWITHSTANDING PARAGRAPH (2)(II) THROUGH (IV) OF THIS SUBSECTION, A LICENSE SPECIFIED UNDER THIS SUBSECTION, INCLUDING A LICENSE THAT ALLOWS NO SALES FOR OFF-PREMISES CONSUMPTION, MAY INCLUDE AN OFF-SALE PRIVILEGE FOR SALES OF REFILLABLE CONTAINERS UNDER A REFILLABLE CONTAINER LICENSE ISSUED IN ACCORDANCE WITH § 8-203(E) OF THIS ARTICLE.”.