

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 627  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “Alcoholic Beverages” insert “Multiple Jurisdictions–”; in the same line, after “B” insert “and Class BLX”; strike beginning with “authorizing” in line 3 down through “services” in line 20 and substitute “altering the maximum number of Class B licenses and Class BLX licenses in Anne Arundel County, Baltimore City, Baltimore County, Calvert County, Charles County, Howard County, Montgomery County, and Prince George’s County that certain persons may hold or in which certain persons may have a direct or indirect interest; making a stylistic change; and generally relating to Class B and Class BLX licenses in certain jurisdictions”; in line 23, strike “9-102(a)” and substitute “6-201(f)(1), (r)(1)(i) and (6)(i), 8-202.1(a) and (c)(1), and 9-102.1(a) and (b)(4)”; in line 26, strike “adding to” and substitute “repealing and reenacting, with amendments,”; in line 28, strike “9-102(a-2)” and substitute “6-201(f)(4)(vi) and (r)(6)(iii), 8-202.1(g)(1), (h), and (n), 9-102(b-3A), (o)(1) and (2), (p), and 9-102.1(o)(1)”.

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 5 on page 2 through line 11 on page 4, inclusive, and substitute:

“6-201.

(f) (1) This subsection applies only in Calvert County.

(4) (vi) Notwithstanding any other provision of this article, an individual, corporation, limited liability company, partnership, limited partnership, joint venture, association, or other person or combination of persons may not have a direct or indirect interest in any combination in more than [3]4 Class B and Class BLX licenses.

(Over)

- (r) (1) (i) This subsection applies only in Prince George's County.
- (6) (i) There is a Class BLX license, which is a special Class B license.
- (iii) 1. Class BLX licenses may be issued only to luxury type restaurants, a term which shall be defined by the regulations of the Board.
2. The restaurant shall have a minimum capital investment of ~~[\$800,000]~~ **\$1,000,000** for dining room facilities and kitchen equipment, which sum may not include the cost of land, buildings or a lease.
3. The restaurant shall have a minimum seating capacity of 100 persons.
4. The Board has complete discretion as to whom these licenses may be issued, the number to be issued, and whether an existing license holder of an alcoholic beverages license may also have an interest in one Class BLX license.
5. Subject to sub-subparagraphs 6, 7, and 8 of this subparagraph, an individual or corporation may hold not more than ~~[6]~~ **10** Class BLX licenses.
6. A license holder may be issued a fifth BLX license only if the date of application for a fifth license is at least 1 year after the date the license holder was issued the fourth license.
7. A license holder may be issued a sixth BLX license only if the date of application for a sixth license is at least 1 year after the date the license holder was issued the fifth license.

8. In determining whether to issue a fifth [or], sixth, SEVENTH, EIGHTH, NINTH, OR TENTH BLX license to a single license holder, the Board of License Commissioners for Prince George's County:

A. Shall consider the number of licensed establishments existing in the area surrounding the site of the proposed licensed establishment; and

B. May issue the additional license only if the Board determines that the proposed licensed establishment will enhance the recreational, business, and economic development of the area.

9. This license is limited and restricted to the purpose of providing alcoholic beverages for consumption on the licensed premises only, with no off-sale privileges to be exercised.

10. The residency requirements specified in § 9-101 of this article as it pertains to Prince George's County do not apply to Class BLX licenses.

8-202.1.

(a) This section applies only in Anne Arundel County.

(c) (1) There is a 7-day Class BLX (deluxe restaurant) (on-sale) beer, wine and liquor license.

(g) (1) A licensee may hold not more than [six] 10 licenses of any class in accordance with this section.

(h) (1) Except as provided in paragraph (2) of this subsection, a license that was issued on or before June 30, 2006, and in which a licensee holds a direct interest or an indirect interest:

(Over)

(i) Shall be counted against the maximum number of [six] 10 licenses that the licensee may hold under this section; but

(ii) Is exempt from subsections (i) through (l) of this section.

(2) A Class H license that was issued in the period beginning on March 14, 2005, and ending on December 1, 2005, may not be counted against the maximum number of [six] 10 licenses that the licensee may hold under this section.

(n) (1) A licensee may be issued a sixth, SEVENTH, EIGHTH, NINTH, OR TENTH license if the license sought is a Class BLX license.

(2) The restaurant for which the license is sought may be located anywhere in the county.

9-102.

(b-3A) (1) Notwithstanding any other provisions of this section, AND SUBJECT TO SUBSECTIONS (B-3B) AND (B-3C) OF THIS SECTION, in Baltimore City or Baltimore County, the holder of a Class B, (on-sale — hotels and restaurants) beer, wine and liquor license under this article, by making application in the regular manner and paying the usual fee may obtain an additional Class B, (on-sale — hotels and restaurants) beer, wine and liquor license for premises used and occupied as a bona fide restaurant, as may be defined by the rules and regulations of the Board of License Commissioners for Baltimore City or Baltimore County, provided that said restaurant has a minimum capital investment of \$500,000 for restaurant facilities, which sum shall not include the cost of land or buildings, and has a minimum seating capacity of 125 persons.

(2) Nothing contained herein shall permit the issuance of more than [three (3)] FIVE such licenses to any person, or for the use of any partnership, corporation, unincorporated association, or limited liability company in Baltimore City or Baltimore County.

(3) The granting of additional licenses hereunder shall be limited and restricted to the purpose of providing alcoholic beverages for consumption on the licensed premises only, with no off-sale privileges to be exercised therewith.

(o) (1) Subject to paragraphs (2) and (3) of this subsection, and notwithstanding any other provision of law, in Howard County, the Board of License Commissioners may issue 2 Class B (on-sale) beer, wine and liquor licenses and [3] 7 Class BLX (luxury restaurant) (on-sale) beer, wine and liquor licenses, or [5] 9 Class BLX (luxury restaurant) (on-sale) beer, wine and liquor licenses for separate premises:

(i) To an individual; or

(ii) For the use of a partnership, corporation, or unincorporated association.

(2) A person, including a corporation, limited liability company, partnership, limited partnership, joint venture, association, or other combination of persons, whether natural or otherwise and for whatever reason formed, may not have a direct or indirect interest in any combination of more than [5] 9 Class B and Class BLX licenses.

(p) Notwithstanding subsection (a) of this section, in Charles County, the Board of License Commissioners may issue [1] 2 additional Class BLX alcoholic beverages [license] LICENSES for use in a luxury-type restaurant for each Charles County Class BLX licensee who applies.

9-102.1.

- (a) This section applies only in Montgomery County.
- (b) (4) “License” means a Class B beer, wine and liquor on-sale only license.
- (o) (1) A licensee that holds an original license, may obtain a maximum of [five] 9 additional licenses and may not hold more than [six] 10 licenses altogether.”.