

# HOUSE BILL 51

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CF SB 33

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By: **Delegates Eckardt, Cane, and Haddaway-Riccio**

Introduced and read first time: January 13, 2012

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Dorchester County – Alcoholic Beverages Licenses – Beer, Wine and Liquor**  
3 **Licenses – Clubs**

4 FOR the purpose of updating certain obsolete language by requiring the County  
5 Council of Dorchester County to pay a certain alcoholic beverages license fee to  
6 the mayor and city council of a city or town under certain circumstances;  
7 requiring the County Council of Dorchester County to pay a certain alcoholic  
8 beverages license fee to the Finance Department of Dorchester County under  
9 certain circumstances; and generally relating to the distribution of Class C beer,  
10 wine and liquor license fees paid by organizations in Dorchester County.

11 BY repealing and reenacting, without amendments,  
12 Article 2B – Alcoholic Beverages  
13 Section 6–301(a)  
14 Annotated Code of Maryland  
15 (2011 Replacement Volume)

16 BY repealing and reenacting, with amendments,  
17 Article 2B – Alcoholic Beverages  
18 Section 6–301(k)  
19 Annotated Code of Maryland  
20 (2011 Replacement Volume)

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

23 **Article 2B – Alcoholic Beverages**

24 6–301.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (a)   (1)   Except as provided in subsection (n) of this section, a Class C beer,  
2 wine and liquor license shall be issued by the license issuing authority of the county in  
3 which the place of business is located. It authorizes the holder to keep for sale and sell  
4 all alcoholic beverages at retail at any club, at the place described in the license, for  
5 consumption on the premises only.

6           (2)   The annual fee for the license shall be paid to the local collecting  
7 agent before the license is issued, for distribution as provided.

8           (3)   In this section, "board" means the board of commissioners for the  
9 jurisdiction to which the subsection applies.

10          (k)   (1)   This subsection applies only in Dorchester County.

11           (2)   The annual license fee is \$1,000.

12           (3)   A license may be obtained by any bona fide yacht club and golf and  
13 country club that:

14                   (i)   Has been incorporated for a period of not less than 5 years  
15 prior to the time of making application for the license;

16                   (ii)   Has a bona fide membership of not less than 250 persons  
17 and dues of not less than \$10 per year per adult member;

18                   (iii)   Has facilities for preparing and serving food on the premises  
19 to members and their guests when accompanied by such members; and

20                   (iv)   Owns or operates a clubhouse located on premises  
21 principally used for no other purpose and not directly or indirectly owned or operated  
22 as a public business.

23           (4)   A license may be obtained by any local unit of a nationwide bona  
24 fide nonprofit organization or club composed solely of members who served in the  
25 armed forces of the United States in any war in which the United States has engaged  
26 and:

27                   (i)   Has held a charter from a national veterans' organization for  
28 a period of not less than 5 years prior to the time of making application for the license;

29                   (ii)   Has a bona fide membership of not less than 50 persons and  
30 dues of not less than \$5 per year per person;

31                   (iii)   Operates solely for the use of its own members and their  
32 guests when accompanied by such members; and

33                   (iv)   Meets in a clubhouse principally used for no other purpose.

1           (5) A license may be obtained by any lodge or chapter of any bona fide  
2 nonprofit and nationwide fraternal organization composed of members duly elected  
3 and initiated in accordance with the rites and customs of the fraternal organization  
4 which:

5                   (i) Has been in existence and operating in Dorchester County  
6 for a period of not less than 5 years prior to the time of making application for the  
7 license;

8                   (ii) Has a bona fide membership of not less than 125 persons  
9 and dues of not less than \$5 per annum per member;

10                   (iii) Owns or operates a home or clubhouse principally for the  
11 use of its members and their guests when accompanied by such members; and

12                   (iv) Is not directly or indirectly owned or operated as a public  
13 business.

14           (6) A license may be obtained by Sailwinds Park, Inc., a nonprofit  
15 organization. The license may be obtained and renewed so long as no individual or  
16 group of individuals derive any personal profits from the operation of the Park.

17           (7) Upon payment of the license fee, any organization specified by this  
18 subsection may obtain a license from the County Commissioners.

19           (8) If the organization specified by this subsection is located within the  
20 corporate limits of any city or town, the County [Commissioners] **COUNCIL** shall pay  
21 the license fee to the mayor and city council of that city or town. Otherwise, they shall  
22 pay the fee to the [treasurer] **FINANCE DEPARTMENT** of Dorchester County.

23           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 July 1, 2012.