

HOUSE BILL 392

A2

2lr0380

By: **Delegates Hammen, Clippinger, and McHale**

Introduced and read first time: February 1, 2012

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Alcoholic Beverages Licenses – Memorandum of**
3 **Understanding**

4 FOR the purpose of requiring the Baltimore City Board of Liquor License
5 Commissioners to make the issuance and renewal of certain alcoholic beverages
6 licenses conditional on the compliance of the license holder with a certain
7 memorandum of understanding; making certain stylistic changes; establishing
8 that the existence of a certain memorandum does not affect any requirement of
9 any individuals to file a certain protest; and generally relating to the issuance of
10 alcoholic beverages licenses in Baltimore City.

11 BY repealing and reenacting, with amendments,
12 Article 2B – Alcoholic Beverages
13 Section 10–104(a) and (d)
14 Annotated Code of Maryland
15 (2011 Replacement Volume)

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

18 **Article 2B – Alcoholic Beverages**

19 10–104.

20 (a) [The following requirements] **A REQUIREMENT** for AN application for
21 [county licenses] **A LICENSE IN THIS SECTION** shall be applicable in [these counties,]
22 **A COUNTY OR BALTIMORE CITY** as AN additional [requirements] **REQUIREMENT**
23 except where inconsistent with [those listed elsewhere] **A REQUIREMENT**
24 **OTHERWISE PROVIDED** in this subtitle[:].

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (d) **(1)** In Baltimore City the certificate shall be signed by at least three
2 citizens who shall be owners of real estate and registered voters of the City, setting
3 forth a statement that the applicant is personally known to them and has been a
4 resident or a taxpayer of the City for two years and a resident of the State of Maryland
5 for two years preceding the presentation to them of the application, and in the case of
6 a corporation at least one of the applicants is personally known to them and has been
7 a resident or taxpayer of the City for a period of at least two years and a resident of
8 the State of Maryland for two years preceding the presentation to them of the
9 application and is a registered voter; and in the case of a partnership that all members
10 of the partnership have been residents or taxpayers of the City for at least a period of
11 two years and a resident of the State of Maryland for two years preceding the
12 presentation of the application to them.

13 **(2) (I) IN BALTIMORE CITY, IF A COMMUNITY ASSOCIATION**
14 **AND AN APPLICANT FOR THE ISSUANCE OR RENEWAL OF A CLASS B OR D**
15 **ALCOHOLIC BEVERAGES LICENSE HAVE ENTERED INTO A MEMORANDUM OF**
16 **UNDERSTANDING THAT EXPRESSLY ACKNOWLEDGES THE AUTHORITY OF THE**
17 **BOARD UNDER THIS ARTICLE, THE BOARD OF LIQUOR LICENSE**
18 **COMMISSIONERS SHALL MAKE THE ISSUANCE OR RENEWAL OF THE LICENSE**
19 **CONDITIONAL ON THE COMPLIANCE OF THE APPLICANT WITH THE**
20 **MEMORANDUM OF UNDERSTANDING.**

21 **(II) THE EXISTENCE OF A MEMORANDUM OF**
22 **UNDERSTANDING DOES NOT AFFECT ANY REQUIREMENT OF ANY INDIVIDUALS**
23 **TO FILE A PROTEST UNDER §§ 10-301 OR 10-403 OF THIS TITLE.**

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