

HB0999/453494/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 999
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Licenses” in line 2 down through “Program” in line 3; in line 5, after “licenses;” insert “creating a Class EF (entertainment facility) beer, wine and liquor license; authorizing a license holder to sell beer, wine, and liquor, from one or more outlets in a certain entertainment facility, for consumption anywhere throughout the entertainment facility only; requiring a facility for which a license is issued to have a certain amount of capital investment; authorizing the Board of License Commissioners to issue one or more licenses for the same facility; specifying the hours of sale and a certain license fee;”; in line 10, after “circumstances;” insert “authorizing the Department of Liquor Control to purchase wine and liquor under certain circumstances; prohibiting the resale of certain wine and liquor until a certain excise tax has been paid; altering a certain date on which a licensee in the county may elect to purchase wine or liquor from a licensed wholesaler;”; in line 20, strike the first “and”; in line 21, after “(iv) 1.” insert “, 15-205(l), and 15-204(e)”; and after line 23, insert:

“BY adding to

Article 2B – Alcoholic Beverages

Section 6-201(y)(9)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 9, insert:

“(9) (I) THERE IS A CLASS EF (ENTERTAINMENT FACILITY) BEER, WINE AND LIQUOR LICENSE.

(Over)

(II) A CLASS EF LICENSE AUTHORIZES THE HOLDER TO SELL BEER, WINE, AND LIQUOR BY THE DRINK AND BY THE BOTTLE, FROM ONE OR MORE OUTLETS IN THE ENTERTAINMENT FACILITY, FOR CONSUMPTION ANYWHERE THROUGHOUT THE ENTERTAINMENT FACILITY.

(III) A HOLDER OF A CLASS EF LICENSE MAY NOT SELL ALCOHOLIC BEVERAGES FOR OFF-SALE CONSUMPTION.

(IV) NOTWITHSTANDING § 8-208(B) OF THIS ARTICLE, THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE A CLASS EF LICENSE ONLY IF THE APPLICANT HAS AN INITIAL CAPITAL INVESTMENT IN THE FACILITY FOR WHICH THE LICENSE IS SOUGHT OF AT LEAST \$45,000,000.

(V) THE BOARD MAY ISSUE ONE OR MORE CLASS EF LICENSES FOR THE SAME FACILITY.

(VI) A CLASS EF LICENSE AUTHORIZES THE SALE AND SERVING OF BEER, WINE, AND LIQUOR ANYWHERE THROUGHOUT THE ENTERTAINMENT FACILITY DURING THOSE DAYS THAT THE ENTERTAINMENT FACILITY IS OPEN FOR BUSINESS AND FROM 9:00 A.M. THROUGH 4:00 A.M. THE FOLLOWING DAY.

(VII) THE ANNUAL LICENSE FEE IS \$15,000.”.

On page 4, before line 4, insert:

“15-205.

(1) (1) In Worcester County, subject to the approval of the County Commissioners, the Director of the Department of Liquor Control may purchase or otherwise acquire:

[(1)] (I) Real or personal property that the Director considers necessary to operate dispensaries, stores, or warehouses; and

[(2)] (II) [Wine] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, WINE and liquor from any source for resale.

(2) (I) THE DEPARTMENT OF LIQUOR CONTROL ACTING AS A WHOLESALER MAY PURCHASE WINE AND LIQUOR FROM A LICENSED WHOLESALER.

(II) REGARDLESS OF ANY OTHER STATE LAW OR REGULATION TO THE CONTRARY, WINE AND LIQUOR PURCHASED BY THE DEPARTMENT OF LIQUOR CONTROL FROM ANY SOURCE, INCLUDING A GOVERNMENTAL ALCOHOLIC BEVERAGE CONTROL DEPARTMENT OR AGENCY OF ANOTHER STATE, A NONRESIDENT WHOLESALER WHETHER OR NOT LICENSED IN THIS STATE OR ACTING AS A WHOLESALER, OR A LICENSED WHOLESALER OR LIQUOR CONTROL BOARD, MAY NOT BE RESOLD UNTIL THE EXCISE TAX IMPOSED BY § 5-102 OF THE TAX – GENERAL ARTICLE HAS BEEN PAID.”

AMENDMENT NO. 3

On page 4, after line 3, insert:

“15-204.

(e) (1) In this subsection, “Department” means the Worcester County Department of Liquor Control.

(Over)

(2) This subsection applies only in Worcester County.

(3) (i) Beginning on [May 1, 2016] **JULY 1, 2014**, a licensee in the county may elect to purchase wine or liquor from a licensed wholesaler by providing written notice of the licensee's intent to the Department at least 60 days before the date the purchasing activity is to start.

(ii) The notice shall contain:

1. The name of the licensee;
2. The name and address of the licensed premises; and
3. The date that the notice was sent to the Department.

(4) A licensee that meets the requirements of this subsection may purchase wine or liquor from a licensed wholesaler in addition to or instead of the Department.

(5) (i) The Department shall issue a letter of confirmation to a licensee that meets the requirements of this subsection.

(ii) The licensee shall display the letter conspicuously on the licensed premises.”.