

# SENATE BILL 235

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3lr1116

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By: **Senators Ferguson, Conway, Gladden, Jones-Rodwell, McFadden, and Pugh**

Introduced and read first time: January 18, 2013

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 11, 2013

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Baltimore City – Alcoholic Beverages – License Revocation**

3 FOR the purpose of ~~requiring the Board of Liquor License Commissioners for~~  
4 ~~Baltimore City to require a licensee to close to the public the entire operation of~~  
5 ~~the premises for not less than a certain number of days under certain~~  
6 ~~circumstances; prohibiting the appeal of a certain closure~~ prohibiting the Board  
7 of Liquor License Commissioners for Baltimore City or a court from staying an  
8 order to revoke an alcoholic beverages license until a certain number of days  
9 after a license is revoked; providing that a person whose license revocation by  
10 the Board is subsequently overturned on appeal is entitled to reimbursement for  
11 lost wages as a result of a certain prohibition; prohibiting a person whose  
12 license has been revoked by the Board from giving, serving, dispensing, keeping,  
13 or allowing to be consumed any alcoholic beverages until certain circumstances  
14 occur; and generally relating to the revocation of an alcoholic beverages license  
15 in Baltimore City.

16 BY repealing and reenacting, with amendments,

17 Article 2B – Alcoholic Beverages

18 Section 16-101(c)

19 Annotated Code of Maryland

20 (2011 Replacement Volume and 2012 Supplement)

21 BY adding to

22 Article 2B – Alcoholic Beverages

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Section 16–103  
 2 Annotated Code of Maryland  
 3 (2011 Replacement Volume and 2012 Supplement)

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

6 **Article 2B – Alcoholic Beverages**

7 16–101.

8 (c) (1) [Upon] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, ON  
 9 the filing of an appeal, the local licensing board may stay its order until the final  
 10 determination thereof.

11 (2) IN BALTIMORE CITY, THE BOARD OF LIQUOR LICENSE  
 12 COMMISSIONERS OR A COURT MAY NOT STAY AN ORDER TO REVOKE A LICENSE  
 13 PENDING JUDICIAL REVIEW UNTIL 45 DAYS AFTER THE LICENSE IS REVOKED.

14 (3) A PERSON WHOSE LICENSE REVOCATION BY THE BOARD OF  
 15 LIQUOR LICENSE COMMISSIONERS FOR BALTIMORE CITY IS SUBSEQUENTLY  
 16 OVERTURNED ON APPEAL IS ENTITLED TO REIMBURSEMENT FOR LOST WAGES  
 17 AS A RESULT OF PARAGRAPH (2) OF THIS SUBSECTION.

18 16–103.

19 ~~(A) NOTWITHSTANDING ANY OTHER PROVISION IN THIS SUBTITLE, THE~~  
 20 ~~BOARD OF LIQUOR LICENSE COMMISSIONERS FOR BALTIMORE CITY WHEN~~  
 21 ~~REVOKING A LICENSE SHALL REQUIRE THE LICENSEE TO CLOSE IMMEDIATELY~~  
 22 ~~TO THE PUBLIC THE ENTIRE OPERATION OF THE PREMISES FOR NOT LESS THAN~~  
 23 ~~45 DAYS.~~

24 ~~(B) THE CLOSURE REQUIRED UNDER SUBSECTION (A) OF THIS SECTION~~  
 25 ~~MAY NOT BE APPEALED.~~

26 A PERSON WHOSE LICENSE HAS BEEN REVOKED BY THE BOARD OF  
 27 LIQUOR LICENSE COMMISSIONERS FOR BALTIMORE CITY MAY NOT GIVE,  
 28 SERVE, DISPENSE, KEEP, OR ALLOW TO BE CONSUMED ANY ALCOHOLIC  
 29 BEVERAGES UNTIL A STAY IS GRANTED IN ACCORDANCE WITH § 16–101(C) OF  
 30 THIS SUBTITLE OR THE REVOCATION IS REVERSED ON APPEAL.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
 32 July 1, 2013.