

SB0949/894939/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 949
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the semicolon 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 “exception;” insert “altering a certain date on which a licensee in the county may elect to purchase wine or liquor from a licensed wholesaler; authorizing the Director of the Department of Liquor Control to purchase or otherwise acquire wine and liquor from any source for resale, regardless of any other State law or regulation to the contrary, without a certain tax having been paid; providing that the wine and liquor may not be resold until a certain excise tax has been paid; making clarifying changes;”; in line 19, strike “and”; in the same line, after “13-101” insert “, 15-204(e), and 15-205(l)”; and after line 21, 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, strike beginning with “(on-sale” in line 30 down through “(off-sale)” in line 31 and substitute “ON-SALE AND OFF-SALE”.

(Over)

On page 3, after line 15, insert:

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

(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) A CLASS EF LICENSE AUTHORIZES THE PLAYING OF MUSIC AND DANCING.

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

AMENDMENT NO. 3

On page 4, in line 8, strike “(on-sale **OR OFF-SALE**) and beer and light wine (off-sale)” and substitute “**ON-SALE AND OFF-SALE**”.

On page 9, after line 20, insert:

“15–204.

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

(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.

(Over)

(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.

15-205.

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

(2) Wine and liquor from any source for resale, REGARDLESS OF ANY OTHER STATE LAW OR REGULATION TO THE CONTRARY, INCLUDING A GOVERNMENT ALCOHOLIC BEVERAGE CONTROL DEPARTMENT OR AGENCY OF ANOTHER STATE, ANY NONRESIDENT WHOLESALER WHETHER OR NOT LICENSED IN THIS STATE, OR ACTING AS A WHOLESALER, FROM A LICENSED WHOLESALER OR LIQUOR CONTROL BOARD WITHOUT THE TAX IMPOSED BY § 5-102 OF THE TAX - GENERAL ARTICLE HAVING TO BE PAID, BUT MAY NOT BE RESOLD UNTIL THE EXCISE TAX HAS BEEN PAID.”.