

HOUSE BILL 322

A2

(4lr1818)

ENROLLED BILL

— *Economic Matters/Education, Health, and Environmental Affairs* —

Introduced by **Washington County Delegation**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Washington County – Alcoholic Beverages – Restaurant Seating Capacity *and***
3 ***License Quota***

4 FOR the purpose of ~~reducing~~ setting the seating capacity requirement for Class B
5 alcoholic beverages (on-sale) restaurants and Class P alcoholic beverages
6 (on-sale) restaurants in Washington County; *excepting Class P licenses rather*
7 *than Class B licenses from calculations in determining whether the number of*
8 *licenses within an election district exceeds the population ratio quota;* and
9 generally relating to alcoholic beverages licenses in Washington County.

10 BY repealing and reenacting, with amendments,
11 Article 2B – Alcoholic Beverages
12 Section 9–222(b)
13 Annotated Code of Maryland
14 (2011 Replacement Volume and 2013 Supplement)

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.

Italics indicate opposite chamber/conference committee amendments.



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

3 **Article 2B – Alcoholic Beverages**

4 9–222.

5 (b) (1) (i) In this subsection the following words have the meanings
6 indicated.

7 (ii) “Population ratio quota” means 1 license for each 1,000
8 individuals, excluding individuals detained or confined in a correctional facility as
9 defined under § 1–101(d) of the Correctional Services Article, who reside in the
10 election district where the license will be issued as determined by the last federal
11 population census.

12 (iii) “Restaurant” means an establishment that:

- 13 1. Is located in a permanent building;
- 14 2. Regularly sells and serves food to the general public;
- 15 3. Has a seating capacity of at least ~~[75] 50 persons; and~~
16 :

17 **A. 75 PERSONS FOR A CLASS B ALCOHOLIC**
18 **BEVERAGES (ON–SALE) LICENSE; OR**

19 **B. 50 PERSONS FOR A CLASS P ALCOHOLIC**
20 **BEVERAGES (ON–SALE) LICENSE; AND**

21 4. Has on an annual basis, gross sales of food and
22 nonalcoholic beverages that exceed its annual gross sales of alcoholic beverages.

23 (2) In Washington County, except for a Class ~~B~~ **P** alcoholic beverages
24 (on–sale) license issued to a restaurant and any class of alcoholic beverages license
25 renewed or transferred for the same premises, an alcoholic beverages license may not
26 be issued within an election district if the number of alcoholic beverages licenses
27 exceeds the population ratio quota.

28 (3) (i) If the Washington County Board of License Commissioners
29 determines that there is a public need including governmentally sanctioned economic
30 revitalization for the issuance of a license notwithstanding the population ratio quota,
31 the license may be issued by the Board.

1 (ii) The Board shall state in the order granting the issuance of
2 the license the reasons for its decision to exceed the population ratio quota.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 July 1, 2014.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.