

HOUSE BILL 322

A2

4r1818
CF SB 692

By: **Washington County Delegation**

Introduced and read first time: January 22, 2014

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 7, 2014

CHAPTER _____

1 AN ACT concerning

2 **Washington County – Alcoholic Beverages – Restaurant Seating Capacity**

3 FOR the purpose of ~~reducing~~ setting the seating capacity requirement for Class B
4 alcoholic beverages (on-sale) restaurants and Class P alcoholic beverages
5 (on-sale) restaurants in Washington County; and generally relating to alcoholic
6 beverages licenses in Washington County.

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

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

14 **Article 2B – Alcoholic Beverages**

15 9–222.

16 (b) (1) (i) In this subsection the following words have the meanings
17 indicated.

18 (ii) “Population ratio quota” means 1 license for each 1,000
19 individuals, excluding individuals detained or confined in a correctional facility as

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 defined under § 1-101(d) of the Correctional Services Article, who reside in the
 2 election district where the license will be issued as determined by the last federal
 3 population census.

4 (iii) "Restaurant" means an establishment that:

- 5 1. Is located in a permanent building;
- 6 2. Regularly sells and serves food to the general public;
- 7 3. Has a seating capacity of at least ~~[75] 50 persons; and~~
 8 :

9 **A. 75 PERSONS FOR A CLASS B ALCOHOLIC**
 10 **BEVERAGES (ON-SALE) LICENSE; OR**

11 **B. 50 PERSONS FOR A CLASS P ALCOHOLIC**
 12 **BEVERAGES (ON-SALE) LICENSE; AND**

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

15 (2) In Washington County, except for a Class B alcoholic beverages
 16 (on-sale) license issued to a restaurant and any class of alcoholic beverages license
 17 renewed or transferred for the same premises, an alcoholic beverages license may not
 18 be issued within an election district if the number of alcoholic beverages licenses
 19 exceeds the population ratio quota.

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

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

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