

HOUSE BILL 632

A2

6lr1103

By: **Howard County Delegation**

Introduced and read first time: February 4, 2016

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 9, 2016

CHAPTER _____

1 AN ACT concerning

2 **Howard County – Alcoholic Beverages – Luxury Restaurants and Farm**
3 **Breweries – Licenses**

4 **Ho. Co. 14–16**

5 FOR the purpose of altering the maximum number of certain beer, wine and liquor licenses
6 the holder of a Class 8 farm brewery license may hold in Howard County; altering
7 the number of Class BLX (luxury restaurant) (on–sale) beer, wine and liquor licenses
8 the Board of License Commissioners may issue for separate premises to an
9 individual or for the use of a partnership, corporation, or unincorporated association
10 in Howard County; and generally relating to alcoholic beverages licenses in Howard
11 County.

12 BY repealing and reenacting, without amendments,

13 Article – Alcoholic Beverages

14 Section 23–902(a), (c), and (f)

15 Annotated Code of Maryland

16 (As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General
17 Assembly of 2016)

18 BY repealing and reenacting, with amendments,

19 Article – Alcoholic Beverages

20 Section 23–902(e) and 23–1606

21 Annotated Code of Maryland

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 (As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General
2 Assembly of 2016)

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

5 **Article – Alcoholic Beverages**

6 23–902.

7 (a) There is a Class B beer, wine, and liquor license.

8 (c) The license authorizes the license holder to sell beer, wine, and liquor at retail
9 at a hotel or restaurant at the place described in the license for on–premises consumption.

10 (8) The Board may adopt regulations to carry out this subsection, including
11 a limit on the number of permits to be issued.

12 (e) The Comptroller may issue one Class 8 farm brewery license to a license
13 holder that holds not more than two Class B **AND SEVEN CLASS BLX** beer, wine, and
14 liquor licenses.

15 (f) The annual license fees are:

16 (1) \$1,000 for the Class B beer, wine, and liquor license; and

17 (2) \$500 for the off–sale beer and wine permit.

18 23–1606.

19 (a) Subject to subsections (b) and (c) of this section, the Board may issue to an
20 individual or for the use of a person:

21 (1) two Class B (on–sale) beer, wine, and liquor licenses and **[seven] SIX**
22 Class BLX (luxury restaurant)(on–sale) beer, wine, and liquor licenses; or

23 (2) **[nine] EIGHT** Class BLX (luxury restaurant)(on–sale) beer, wine, and
24 liquor licenses.

25 (b) A person may not have a direct or indirect interest in any combination of more
26 than nine Class B and Class BLX licenses.

27 (c) For purposes of this section, an indirect interest is presumed to exist between
28 two persons if both:

29 (1) have a common parent company;

1 (2) are linked by a franchise agreement, licensing agreement, or a
2 concession agreement;

3 (3) are part of a chain of businesses commonly owned and operated;

4 (4) share:

5 (i) directors, stockholders, partners, or members; or

6 (ii) directors, stockholders, partners, or members of parents or
7 subsidiaries;

8 (5) share, directly or indirectly, profit from the sale of alcoholic beverages;
9 or

10 (6) share a common trade name, trademark, logo, or theme, or mode of
11 operation identifiable by the public.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
13 1, 2016.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.