

HOUSE BILL 1020

A2

6lr3230

By: **Prince George's County Delegation**

Introduced and read first time: February 11, 2016

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Alcoholic Beverages Licenses –**
3 **Class B–WPL (Waterfront Pavilion) Beer, Wine, and Liquor License**

4 **PG 314–16**

5 FOR the purpose of establishing a Class B–WPL (waterfront pavilion) beer, wine, and
6 liquor license that the Board of License Commissioners of Prince George's County
7 may issue to an establishment for certain premises in a certain waterfront
8 entertainment retail complex; prohibiting the issuance of the license for certain
9 areas; establishing certain privileges for the license; authorizing certain
10 entertainment activities on certain licensed premises in certain manners; providing
11 for the term and renewal of the license; providing that an individual license holder
12 is not subject to certain residency requirements; providing that the license holder
13 may hold up to a certain number of the licenses at the same time; providing that the
14 license holder may have an interest in other licenses in the County; providing for the
15 days and hours of operation of certain premises under the license; establishing an
16 annual fee for the license; limiting the number of licenses that may be issued under
17 this Act; providing that a certain provision on entertainment permits does not apply
18 to the license; providing that certain residency requirements do not apply to the
19 license; prohibiting the entry of certain persons onto the licensed premises at certain
20 times under certain circumstances; and generally relating to alcoholic beverages
21 licenses in Prince George's County.

22 BY repealing and reenacting, without amendments,
23 Article – Alcoholic Beverages
24 Section 26–102
25 Annotated Code of Maryland
26 (As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General
27 Assembly of 2016)

28 BY adding to

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – Alcoholic Beverages
 2 Section 26–1018.1 and 26–2004(i)
 3 Annotated Code of Maryland
 4 (As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General
 5 Assembly of 2016)

6 BY repealing and reenacting, with amendments,
 7 Article – Alcoholic Beverages
 8 Section 26–1103(a)(1), 26–1405(c), 26–1406(c), 26–1601(a)(1), 26–1808, 26–2004(i),
 9 and 26–2707
 10 Annotated Code of Maryland
 11 (As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General
 12 Assembly of 2016)

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

15 **Article – Alcoholic Beverages**

16 26–102.

17 This title applies only in Prince George’s County.

18 **26–1018.1.**

19 **(A) THERE IS A CLASS B–WPL (WATERFRONT PAVILION) BEER, WINE, AND**
 20 **LIQUOR LICENSE.**

21 **(B) THE BOARD MAY ISSUE THE LICENSE FOR USE BY AN ESTABLISHMENT**
 22 **IN A WATERFRONT ENTERTAINMENT RETAIL COMPLEX, AS DEFINED IN THE COUNTY**
 23 **ZONING ORDINANCE, AT A PAVILION LOCATION THAT:**

24 **(1) HAS PREMISES CONSISTING IN PART OF AN AREA WITHIN A FENCE**
 25 **SURROUNDING A TENT STRUCTURE THAT IS NOT INTENDED TO BE RELOCATED**
 26 **DURING THE TERM OF THE LICENSE;**

27 **(2) IS EQUIPPED FOR DINING OR ENTERTAINMENT PURPOSES; AND**

28 **(3) HAS AT LEAST ONE AREA FOR FOOD SERVICE OR A FULL–SERVICE**
 29 **BAR.**

30 **(C) THE LICENSE MAY NOT BE ISSUED FOR:**

31 **(1) THE AREA OF GRASS OR STEPS BEGINNING AT THE JUMBOTRON**
 32 **THROUGH TO, BUT NOT INCLUDING, NATIONAL PLAZA STREET; OR**

1 **(2) A LOCATION DIRECTLY IN FRONT OF AND WITHIN 50 FEET OF THE**
2 **CAROUSEL ENTRANCE.**

3 **(D) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL BEER, WINE,**
4 **AND LIQUOR AT RETAIL AT THE PLACE DESCRIBED IN THE LICENSE FOR**
5 **ON-PREMISES CONSUMPTION.**

6 **(E) (1) THE LICENSE AUTHORIZES LIVE ENTERTAINMENT THROUGHOUT**
7 **THE LICENSED PREMISES.**

8 **(2) LIVE ENTERTAINMENT MAY BE CONDUCTED AT ANY TIME DURING**
9 **THE HOURS OF OPERATION OF THE LICENSED PREMISES.**

10 **(F) THE BOARD MAY ISSUE NOT MORE THAN THREE LICENSES.**

11 **(G) (1) THE TERM OF A LICENSE MAY BE AT LEAST 3 MONTHS AND MAY**
12 **NOT EXCEED 6 MONTHS.**

13 **(2) THE LICENSE HOLDER MAY RENEW THE LICENSE ONCE FOR THE**
14 **SAME TERM AS THE ORIGINAL LICENSE.**

15 **(3) A LICENSE HOLDER MAY HOLD NOT MORE THAN THREE LICENSES**
16 **AT THE SAME TIME.**

17 **(H) AN INDIVIDUAL LICENSE HOLDER IS NOT SUBJECT TO ANY RESIDENCY**
18 **REQUIREMENT UNDER THIS TITLE.**

19 **(I) THE LICENSE HOLDER MAY HAVE AN INTEREST IN OTHER LICENSES**
20 **ELSEWHERE IN THE COUNTY.**

21 **(J) THE LICENSE HOLDER MAY SELL BEER, WINE, AND LIQUOR DURING THE**
22 **HOURS AND DAYS AS SET OUT FOR A CLASS B-WPL (WATERFRONT PAVILION) BEER,**
23 **WINE, AND LIQUOR LICENSE UNDER § 26-2004 OF THIS TITLE.**

24 **(K) THE MONTHLY LICENSE FEE IS \$500.**

25 26-1103.

26 (a) This section does not apply to a license holder that seeks to provide
27 entertainment if:

1 (1) the license of the license holder is issued under §
2 26-1003, § 26-1006, § 26-1008, § 26-1009, § 26-1010, § 26-1011, § 26-1014, §
3 26-1015, [or] § 26-1016, **OR § 26-1018.1** of this title;

4 26-1405.

5 (c) (1) This subsection does not apply to a Class B-Stadium beer and light
6 wine license, [or] a 7-day Class B-ECR on-sale beer, wine, and liquor license, **OR A CLASS**
7 **B-WPL (WATERFRONT PAVILION) BEER, WINE, AND LIQUOR LICENSE.**

8 (2) To be eligible to receive a license, a partner shall:

9 (i) have been a resident of the State for at least 1 year before the
10 application is filed and continue to be a resident as long as the license is in effect; and

11 (ii) be a registered voter of the State.

12 26-1406.

13 (c) (1) This subsection does not apply to a Class B-Stadium beer and light
14 wine license, [or] a 7-day Class B-ECR on-sale beer, wine, and liquor license, **OR A CLASS**
15 **B-WPL (WATERFRONT PAVILION) BEER, WINE, AND LIQUOR LICENSE.**

16 (2) To be eligible to receive a license, an applicant shall:

17 (i) have been a resident of the State for at least 1 year before the
18 application is filed and continue to be a resident as long as the license is in effect; and

19 (ii) be a registered voter of the State.

20 26-1601.

21 (a) (1) Except as otherwise provided in this title, the number of licenses in a
22 class issued by the Board may not exceed:

23 (i) Class A beer, 19;

24 (ii) Class B beer, 23;

25 (iii) Class C beer, 3;

26 (iv) Class D beer, 76;

27 (v) Class A beer and light wine, 26;

28 (vi) Class B beer and light wine, 45;

- 1 (vii) Class B–GC beer and light wine, 4;
- 2 (viii) Class B–Stadium beer and light wine, 1;
- 3 (ix) Class C beer and light wine, 8;
- 4 (x) Class D beer and light wine, 55;
- 5 (xi) Class A beer, wine, and liquor, 143;
- 6 (xii) Class B beer, wine, and liquor, 185;
- 7 (xiii) Class B–AE beer, wine, and liquor, 8;
- 8 (xiv) Class BCE beer, wine, and liquor, 8;
- 9 (xv) Class B–CI beer, wine, and liquor, 2;
- 10 (xvi) Class B–DD beer, wine, and liquor:
- 11 1. under § 26–1614(a)(1) of this subtitle, 4;
- 12 2. under § 26–1614(a)(2) of this subtitle, 4;
- 13 3. under § 26–1614(a)(3) of this subtitle, 6; and
- 14 4. subject to paragraph (3) of this subsection, under §
- 15 26–1614(a)(4) of this subtitle, 6;
- 16 (xvii) Class B/ECF beer, wine, and liquor, 1;
- 17 (xviii) Class B–ECF/DS beer, wine, and liquor, 1;
- 18 (xix) Class B–ECR beer, wine, and liquor, 1;
- 19 (xx) Class B–Stadium beer, wine, and liquor, 1; [and]
- 20 (xxi) **CLASS B–WPL (WATERFRONT PAVILION) BEER, WINE, AND**
- 21 **LIQUOR, 3; AND**
- 22 **(XXII)** Class C beer, wine, and liquor:
- 23 1. under § 26–1002 of this title, 30;
- 24 2. under § 26–1005 of this title, 25;
- 25 3. under § 26–1011 of this title, 12;

1 4. under § 26–1017 of this title, 1; and

2 5. under § 26–1019 of this title, 4.

3 26–1808.

4 [The] **EXCEPT FOR A CLASS B–WPL (WATERFRONT PAVILION) BEER, WINE,**
5 **AND LIQUOR LICENSE, THE** residency requirements under § 26–1406(c) of this title apply
6 to a renewal of a license.

7 26–2004.

8 **(I) A HOLDER OF A CLASS B–WPL (WATERFRONT PAVILION) LICENSE MAY**
9 **SELL BEER, WINE, AND LIQUOR FROM 6 A.M. TO 2 A.M. THE FOLLOWING DAY.**

10 **[(i)] (J)** (1) Subject to paragraph (2) of this subsection, a holder of a Class C
11 beer, wine, and liquor license may sell beer, wine, and liquor from 6 a.m. to 2 a.m. the
12 following day.

13 (2) The license holder may not sell beer, wine, or liquor at a bar or counter
14 on Sunday, from 6 a.m. to 2 a.m. the following day, unless the Sunday is December 24 or
15 December 31.

16 26–2707.

17 (a) An individual under the age of 21 years may not:

18 (1) enter the premises of a license holder to obtain alcoholic beverages; or

19 (2) possess alcoholic beverages.

20 (b) An individual under the age of 18 years may not enter between 10 p.m. and 6
21 a.m. the premises of the holder of a Class B or Class D beer license, [or] a Class B or Class
22 D beer and light wine license, **OR A CLASS B–WPL (WATERFRONT PAVILION) BEER,**
23 **WINE, AND LIQUOR LICENSE** unless the individual is in the company of a parent, the legal
24 guardian, or the spouse of the individual.

25 (c) The Board may adopt regulations regarding the presence of an individual
26 under the age of 21 years on a licensed premises.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
28 1, 2016.