

# HOUSE BILL 1021

A2

6lr0834

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

Introduced and read first time: February 11, 2016

Assigned to: Economic Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 13, 2016

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Prince George's County – Alcoholic Beverages – Notice Requirements and**  
3 **~~Restrictions for Licenses~~ Loitering Enforcement**

4 **PG 303–16**

5 FOR the purpose of ~~establishing that certain license and permit holders may only sell beer~~  
6 ~~in cans or packages of at least a certain number in Prince George's County;~~  
7 ~~prohibiting the Prince George's County Board of License Commissioners from~~  
8 ~~issuing or transferring certain alcoholic beverages licenses into certain areas~~  
9 ~~designated as food deserts or qualifying as target census tracts under certain~~  
10 ~~circumstances; authorizing the Board to renew certain alcoholic beverages licenses~~  
11 ~~issued in a food desert or a target census tract before a certain date; requiring the~~  
12 Prince George's County Board of License Commissioners to issue certain notice  
13 regarding public hearings to certain entities under certain circumstances; defining  
14 certain terms; providing for the application of this Act; authorizing certain entities  
15 that request to receive notice under a certain provision of this Act to elect to receive  
16 written or electronic notice; requiring the Board to obtain certain information related  
17 to violations of a certain provision of the Prince George's County Code from certain  
18 law enforcement agencies and maintain a certain comprehensive database;  
19 authorizing the Board to impose a fine under a certain provision of law if a certain  
20 number of citations are issued or arrests are made on the licensed premises for  
21 violations of a certain provision of the Prince George's County Code in a certain time  
22 period; and generally relating to alcoholic beverages licenses in Prince George's  
23 County.

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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 BY repealing and reenacting, without amendments,  
 2 Article – Alcoholic Beverages  
 3 Section 4–208, 4–209, 4–406, 26–101(a) and (b), 26–1501, 26–1512, and 26–1801  
 4 Annotated Code of Maryland  
 5 (As enacted by Chapter \_\_\_\_ ~~(S.B. \_\_\_\_\_)(Ch 1406)~~ (S.B. 724) of the Acts of the  
 6 General Assembly of 2016)

7 BY repealing and reenacting, with amendments,  
 8 Article – Alcoholic Beverages  
 9 Section ~~26–601, 26–801, 26–901, 26–1104~~, 26–1511, 26–1702, and 26–1803  
 10 Annotated Code of Maryland  
 11 (As enacted by Chapter \_\_\_\_ ~~(S.B. \_\_\_\_\_)(Ch 1406)~~ (S.B. 724) of the Acts of the  
 12 General Assembly of 2016)

13 BY adding to  
 14 Article – Alcoholic Beverages  
 15 Section 26–2605  
 16 Annotated Code of Maryland  
 17 (As enacted by Chapter (S.B. 724) of the Acts of the General Assembly of 2016)

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

20 **Article – Alcoholic Beverages**

21 4–208.

22 (a) Before a local licensing board may approve an application for a license, the  
 23 local licensing board shall publish notice of the application two times in 2 successive weeks:

24 (1) in two newspapers of general circulation in the jurisdiction; or

25 (2) if only one newspaper of general circulation exists in the jurisdiction, in  
 26 that newspaper.

27 (b) The notice shall state:

28 (1) the name of the applicant;

29 (2) the type of license for which the application is made;

30 (3) the location described in the application; and

31 (4) the date, time, and place set by the local licensing board for a hearing  
 32 on the application.

33 4–209.

1 (a) The hearing on the application may not occur less than 7 days or more than  
2 30 days after the date of the last publication of the notice of the license application.

3 (b) Any person may address any relevant issue at the hearing.

4 4-406.

5 (a) A protest against a license renewal may be made by:

6 (1) at least 10 signatories who are:

7 (i) residents, commercial tenants who are not holders of or  
8 applicants for a license, or real estate owners; and

9 (ii) located in the immediate vicinity of the licensed premises; or

10 (2) the local licensing board on its own initiative.

11 (b) (1) If a protest against renewing a license is filed at least 30 days before  
12 the license expires, the local licensing board may not approve the renewal without holding  
13 a hearing.

14 (2) The local licensing board shall hear and determine the protest in the  
15 same manner as it hears and determines an original application.

16 26-101.

17 (a) In this title:

18 (1) the definitions in § 1-101 of this article apply without exception or  
19 variation; and

20 (2) the following words have the meanings indicated.

21 (b) "Board" means the Board of License Commissioners for Prince George's  
22 County.

23 ~~26-601.~~

24 ~~(a) There is a Class A beer license.~~

25 ~~(b) (1) The license authorizes the license holder to sell beer at retail to~~  
26 ~~consumers at the place described in the license.~~

27 ~~(2) The license holder shall sell the beer in a sealed package or container.~~

1           ~~(3) The package or container may not be opened and its contents may not~~  
2 ~~be consumed on the premises where the beer was sold.~~

3           ~~(4) THE LICENSE HOLDER MAY SELL BEER ONLY IN PACKAGES OF AT~~  
4 ~~LEAST SIX CANS OR BOTTLES.~~

5           ~~(e) (1) (i) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE~~  
6 ~~MEANINGS INDICATED.~~

7                     ~~(ii) "FOOD DESERT" MEANS AN AREA DESIGNATED BY THE U.S.~~  
8 ~~DEPARTMENT OF AGRICULTURE AS A CENSUS TRACT WITH A SUBSTANTIAL SHARE~~  
9 ~~OF RESIDENTS LIVING IN LOW INCOME AREAS WITH LOW LEVELS OF ACCESS TO~~  
10 ~~GROCERY STORES OR HEALTHY, AFFORDABLE FOOD RETAIL OUTLETS.~~

11                    ~~(iii) "TARGET CENSUS TRACT" MEANS A CENSUS TRACT, AS~~  
12 ~~ESTABLISHED BY THE U.S. DEPARTMENT OF COMMERCE, BUREAU OF THE CENSUS,~~  
13 ~~THAT:~~

14                             ~~1. REFLECTS A POVERTY RATE THAT IS 20% OR~~  
15 ~~GREATER, AS DETERMINED BY THE U.S. DEPARTMENT OF COMMERCE, BUREAU OF~~  
16 ~~THE CENSUS; OR~~

17                             ~~2. REFLECTS A MEDIAN FAMILY INCOME RATE, AS~~  
18 ~~DETERMINED BY THE U.S. DEPARTMENT OF COMMERCE, BUREAU OF THE CENSUS,~~  
19 ~~THAT IS AT OR BELOW 80% OF THE MEDIAN FAMILY INCOME RATE IN CONTIGUOUS~~  
20 ~~CENSUS TRACTS.~~

21           ~~(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION,~~  
22 ~~THE BOARD MAY NOT ISSUE OR TRANSFER A CLASS A BEER LICENSE INTO:~~

23                     ~~(i) A FOOD DESERT, AS LONG AS IT IS DESIGNATED AS A FOOD~~  
24 ~~DESERT; OR~~

25                     ~~(ii) A TARGET CENSUS TRACT, AS LONG AS IT QUALIFIES AS A~~  
26 ~~TARGET CENSUS TRACT.~~

27           ~~(3) THE BOARD MAY RENEW A CLASS A BEER LICENSE THAT WAS~~  
28 ~~ISSUED IN A FOOD DESERT OR A TARGET CENSUS TRACT BEFORE JULY 1, 2016.~~

29           ~~(d) The annual license fee is \$245.~~

30 ~~26-801.~~

31           ~~(a) There is a Class A beer and light wine license.~~

1           ~~(b) (1) The license authorizes the license holder to sell beer and light wine, at~~  
2 ~~retail, at the place described in the license.~~

3           ~~(2) The license holder shall sell the beer and light wine in a sealed package~~  
4 ~~or container.~~

5           ~~(3) The package or container may not be opened and its contents may not~~  
6 ~~be consumed on the premises where the beer or light wine is sold.~~

7           ~~(4) THE LICENSE HOLDER MAY SELL BEER ONLY IN PACKAGES OF AT~~  
8 ~~LEAST SIX CANS OR BOTTLES.~~

9           ~~(e) (1) (i) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE~~  
10 ~~MEANINGS INDICATED.~~

11                           ~~(ii) "FOOD DESERT" MEANS AN AREA DESIGNATED BY THE U.S.~~  
12 ~~DEPARTMENT OF AGRICULTURE AS A CENSUS TRACT WITH A SUBSTANTIAL SHARE~~  
13 ~~OF RESIDENTS LIVING IN LOW-INCOME AREAS WITH LOW LEVELS OF ACCESS TO~~  
14 ~~GROCERY STORES OR HEALTHY, AFFORDABLE FOOD RETAIL OUTLETS.~~

15                           ~~(iii) "TARGET CENSUS TRACT" MEANS A CENSUS TRACT, AS~~  
16 ~~ESTABLISHED BY THE U.S. DEPARTMENT OF COMMERCE, BUREAU OF THE CENSUS,~~  
17 ~~THAT:~~

18                                   ~~1. REFLECTS A POVERTY RATE THAT IS 20% OR~~  
19 ~~GREATER, AS DETERMINED BY THE U.S. DEPARTMENT OF COMMERCE, BUREAU OF~~  
20 ~~THE CENSUS; OR~~

21                                   ~~2. REFLECTS A MEDIAN FAMILY INCOME RATE, AS~~  
22 ~~DETERMINED BY THE U.S. DEPARTMENT OF COMMERCE, BUREAU OF THE CENSUS,~~  
23 ~~THAT IS AT OR BELOW 80% OF THE MEDIAN FAMILY INCOME RATE IN CONTIGUOUS~~  
24 ~~CENSUS TRACTS.~~

25           ~~(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION,~~  
26 ~~THE BOARD MAY NOT ISSUE OR TRANSFER A CLASS A BEER AND LIGHT WINE~~  
27 ~~LICENSE INTO:~~

28                           ~~(i) A FOOD DESERT, AS LONG AS IT IS DESIGNATED AS A FOOD~~  
29 ~~DESERT; OR~~

30                           ~~(ii) A TARGET CENSUS TRACT, AS LONG AS IT QUALIFIES AS A~~  
31 ~~TARGET CENSUS TRACT.~~

~~(3) THE BOARD MAY RENEW A CLASS A BEER AND LIGHT WINE LICENSE THAT WAS ISSUED IN A FOOD DESERT OR A TARGET CENSUS TRACT BEFORE JULY 1, 2016.~~

~~(D) The annual license fee is \$245.~~

~~26-901.~~

~~(a) There is a Class A beer, wine, and liquor license.~~

~~(b) (1) The license authorizes the license holder to sell beer, wine, and liquor at retail at the place described in the license.~~

~~(2) The license holder shall sell the beer, wine, or liquor in a sealed package or container that may not be opened or its contents consumed on the licensed premises.~~

~~(3) A CLASS A BEER, WINE AND LIQUOR LICENSE HOLDER MAY SELL BEER ONLY IN PACKAGES OF AT LEAST SIX CANS OR BOTTLES.~~

~~(e) A license under this section may not be issued for a drugstore unless the applicant:~~

~~(1) has been doing business at the location applied for in the license for at least 1 year before the date of the application for the license;~~

~~(2) is the assignee of a business established for at least 1 year before the date of the application for the license at the location applied for; or~~

~~(3) has been engaged in the retail drug business for at least 3 years.~~

~~(d) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.~~

~~(H) "FOOD DESERT" MEANS AN AREA DESIGNATED BY THE U.S. DEPARTMENT OF AGRICULTURE AS A CENSUS TRACT WITH A SUBSTANTIAL SHARE OF RESIDENTS LIVING IN LOW-INCOME AREAS WITH LOW LEVELS OF ACCESS TO GROCERY STORES OR HEALTHY, AFFORDABLE FOOD RETAIL OUTLETS.~~

~~(HH) "TARGET CENSUS TRACT" MEANS A CENSUS TRACT, AS ESTABLISHED BY THE U.S. DEPARTMENT OF COMMERCE, BUREAU OF THE CENSUS, THAT:~~

~~1. REFLECTS A POVERTY RATE THAT IS 20% OR GREATER, AS DETERMINED BY THE U.S. DEPARTMENT OF COMMERCE, BUREAU OF THE CENSUS; OR~~

1                   ~~2. REFLECTS A MEDIAN FAMILY INCOME RATE, AS~~  
2 ~~DETERMINED BY THE U.S. DEPARTMENT OF COMMERCE, BUREAU OF THE CENSUS,~~  
3 ~~THAT IS AT OR BELOW 80% OF THE MEDIAN FAMILY INCOME RATE IN CONTIGUOUS~~  
4 ~~CENSUS TRACTS.~~

5                   ~~(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION,~~  
6 ~~THE BOARD MAY NOT ISSUE OR TRANSFER A CLASS A BEER, WINE AND LIQUOR~~  
7 ~~LICENSE INTO:~~

8                   ~~(I) A FOOD DESERT, AS LONG AS IT IS DESIGNATED AS A FOOD~~  
9 ~~DESERT; OR~~

10                   ~~(II) A TARGET CENSUS TRACT, AS LONG AS IT QUALIFIES AS A~~  
11 ~~TARGET CENSUS TRACT.~~

12                   ~~(3) THE BOARD MAY RENEW A CLASS A BEER, WINE AND LIQUOR~~  
13 ~~LICENSE THAT WAS ISSUED IN A FOOD DESERT BEFORE JULY 1, 2016.~~

14                   ~~(E) The annual license fee is \$910.~~

15 ~~26-1104.~~

16                   ~~(a) There is a Sunday off sale permit.~~

17                   ~~(b) (1) Except as provided in paragraph (2) of this subsection, the Board may~~  
18 ~~issue the permit to the holder of:~~

19                   ~~(i) a Class A beer, wine, and liquor license; or~~

20                   ~~(ii) a Class B beer, wine, and liquor license with an off sale privilege.~~

21                   ~~(2) The Board may not issue a Sunday off sale permit to a license holder~~  
22 ~~that the Board finds to have sold liquor on Sunday without a Sunday off sale permit.~~

23                   ~~(c) (1) The permit authorizes the holder to sell alcoholic beverages for~~  
24 ~~off premises consumption on Sunday from 8 a.m. to midnight.~~

25                   ~~(2) DURING THE HOURS FOR SALE THAT THE PERMIT AUTHORIZES,~~  
26 ~~THE HOLDER MAY SELL BEER ONLY IN PACKAGES OF AT LEAST SIX CANS OR~~  
27 ~~BOTTLES.~~

28                   ~~(d) (1) Except as provided in paragraph (2) of this subsection, an applicant for~~  
29 ~~the permit shall commit in the application to reinvesting a minimum of \$50,000 in the~~  
30 ~~business within 1 year after the permit is issued.~~

1           ~~(2) The Board may waive the reinvestment requirement.~~

2           ~~(3) The Board shall revoke the permit if:~~

3                   ~~(i) the Board did not waive the reinvestment requirement under~~  
4 ~~item (ii) of this paragraph; and~~

5                   ~~(ii) the permit holder fails to make the required reinvestment.~~

6           ~~(e) If the permit is issued to the holder of a Class B beer, wine, and liquor license~~  
7 ~~with an off-sale privilege, the holder need not comply with any restaurant or food~~  
8 ~~requirement.~~

9           ~~(f) Not more than 100 special Sunday off-sale permits may be in effect at any one~~  
10 ~~time.~~

11           ~~(g) (1) (i) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE~~  
12 ~~MEANINGS INDICATED.~~

13                   ~~(ii) "FOOD DESERT" MEANS AN AREA DESIGNATED BY THE U.S.~~  
14 ~~DEPARTMENT OF AGRICULTURE AS A CENSUS TRACT WITH A SUBSTANTIAL SHARE~~  
15 ~~OF RESIDENTS LIVING IN LOW INCOME AREAS WITH LOW LEVELS OF ACCESS TO~~  
16 ~~GROCERY STORES OR HEALTHY, AFFORDABLE FOOD RETAIL OUTLETS.~~

17                   ~~(iii) "TARGET CENSUS TRACT" MEANS A CENSUS TRACT, AS~~  
18 ~~ESTABLISHED BY THE U.S. DEPARTMENT OF COMMERCE, BUREAU OF THE CENSUS,~~  
19 ~~THAT:~~

20                           ~~1. REFLECTS A POVERTY RATE THAT IS 20% OR~~  
21 ~~GREATER, AS DETERMINED BY THE U.S. DEPARTMENT OF COMMERCE, BUREAU OF~~  
22 ~~THE CENSUS; OR~~

23                           ~~2. REFLECTS A MEDIAN FAMILY INCOME RATE, AS~~  
24 ~~DETERMINED BY THE U.S. DEPARTMENT OF COMMERCE, BUREAU OF THE CENSUS,~~  
25 ~~THAT IS AT OR BELOW 80% OF THE MEDIAN FAMILY INCOME RATE IN CONTIGUOUS~~  
26 ~~CENSUS TRACTS.~~

27           ~~(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION,~~  
28 ~~THE BOARD MAY NOT ISSUE OR TRANSFER A SPECIAL SUNDAY~~  
29 ~~OFF-SALE PERMIT INTO:~~

30                   ~~(i) A FOOD DESERT, AS LONG AS IT IS DESIGNATED AS A FOOD~~  
31 ~~DESERT; OR~~



1                   ~~(H) A TARGET CENSUS TRACT, AS LONG AS IT QUALIFIES AS A~~  
2 ~~TARGET CENSUS TRACT.~~

3                   ~~(3) THE BOARD MAY RENEW A SPECIAL SUNDAY OFF-SALE PERMIT~~  
4 ~~THAT WAS ISSUED IN A FOOD DESERT OR A TARGET CENSUS TRACT BEFORE JULY 1,~~  
5 ~~2016.~~

6           ~~(H) (1) The application fee for the permit is \$750.~~

7           ~~(2) The annual fees for the permit are:~~

8                   ~~(i) \$2,590 for the holder of a Class A beer, wine, and liquor license;~~  
9 ~~and~~

10                   ~~(ii) \$1,080 for the holder of a Class B beer, wine, and liquor license~~  
11 ~~with an off-sale privilege.~~

12           ~~(3) The fees listed in paragraphs (1) and (2) of this subsection are in~~  
13 ~~addition to the annual fee for the Class A beer, wine, and liquor license or Class B beer,~~  
14 ~~wine, and liquor license to which it is attached.~~

15 26-1501.

16           (a) Section 4-207 (“Licenses issued to minors”) of Division I of this article applies  
17 in the County without exception or variation.

18           (b) The following sections of Title 4, Subtitle 2 (“Issuance or Denial of License  
19 Applications”) do not apply in the County:

20                   (1) § 4-206 (“Limitations on retail floor space”) and is superseded by §  
21 26-1504 of this subtitle;

22                   (2) § 4-210 (“Approval or denial of license application”) and is superseded  
23 by § 26-1513 of this subtitle; and

24                   (3) § 4-214 (“Waiting periods after denial of license applications”) and is  
25 superseded by § 26-1516 of this subtitle.

26           (c) The following sections of Title 4, Subtitle 2 (“Issuance or Denial of Local  
27 Licenses”) of Division I of this article apply in the County:

28                   (1) § 4-202 (“Authority of local licensing boards”), in addition to §§ 26-1502  
29 and 26-1503 of this subtitle;

- 1           (2)    § 4–203 (“Prohibition against issuing multiple licenses to individual or  
2 for use of entity”), subject to § 26–1505 of this subtitle and Subtitle 13, Part III and Subtitle  
3 16, Part II of this title;
- 4           (3)    § 4–204 (“Prohibition against issuing multiple licenses for same  
5 premises”), subject to § 26–1505 of this subtitle and Subtitle 13, Part III of this title;
- 6           (4)    § 4–205 (“Chain store, supermarket, or discount house”), subject to §  
7 26–1509 of this subtitle;
- 8           (5)    § 4–208 (“Notice of license application required”), subject to § 26–1512  
9 of this subtitle;
- 10          (6)    § 4–209 (“Hearing”), in addition to § 26–1511 of this subtitle;
- 11          (7)    § 4–211 (“License forms; effective date; expiration”), in addition to §  
12 26–1508 of this subtitle;
- 13          (8)    § 4–212 (“License not property”), subject to § 26–1506 of this subtitle;  
14 and
- 15          (9)    § 4–213 (“Replacement licenses”), subject to § 26–1517 of this subtitle.  
16 26–1511.
- 17          (a)    (1)    The Board may adopt a calendar that establishes:
- 18                  (i)    filing dates by which license applications are required to be filed;  
19 and
- 20                  (ii)   hearing dates for license application hearings.
- 21          (2)    A filing date for a license application shall be at least 60 days before the  
22 hearing at which the application is to be heard.
- 23          (b)    (1)    The Board shall determine the number of licenses of each class that  
24 may be applied for at a hearing.
- 25                  (2)    The number of licenses that the Board makes available for issuance at  
26 a hearing may be less than the total number of licenses in each class that remains unissued  
27 by the Board.
- 28          (3)    If, after a hearing, the applicants who are qualified for the issuance of  
29 a license of a certain class outnumber the licenses of that class authorized to be issued at  
30 the hearing, the Board shall determine the applicants who are best qualified to be license  
31 holders.

1 (4) The Board may not issue additional licenses of any class that were not  
2 determined and published as available for the hearing.

3 (c) (1) Before holding a hearing, the Board shall publish a notice of the hearing  
4 in at least two newspapers of general circulation in the County.

5 (2) The notice shall be published at least 30 days before the date by which  
6 license applications are required to be filed for consideration at the hearing.

7 (3) The notice shall contain:

8 (i) the number of licenses of each class that are available for  
9 issuance;

10 (ii) a description of each class;

11 (iii) the date by which license applications must be filed to be  
12 considered at the license application hearing; and

13 (iv) the date of the hearing.

14 **(D) (1) IN ADDITION TO ANY OTHER NOTICE REQUIRED UNDER THIS**  
15 **ARTICLE, THE BOARD SHALL PROVIDE ~~WRITTEN AND ELECTRONIC~~ NOTICE OF THE**  
16 **DATE, TIME, AND LOCATION OF A HEARING, AS SOON AS PRACTICABLE AFTER THE**  
17 **HEARING IS SCHEDULED, TO ALL MUNICIPALITIES, CIVIC ASSOCIATIONS,**  
18 **HOMEOWNERS' ASSOCIATIONS, AND CONDOMINIUM ASSOCIATIONS THAT:**

19 **~~(1)~~ (I) ARE WITHIN 1 MILE OF THE LOCATION OF THE PROPOSED**  
20 **PLACE OF BUSINESS OF THE APPLICANT; AND**

21 **~~(2)~~ (II) REQUEST TO RECEIVE NOTICE OF HEARINGS BY SIGNING UP**  
22 **ON A REGISTRY ON THE BOARD'S WEB SITE.**

23 **(2) A MUNICIPALITY, CIVIC ASSOCIATION, HOMEOWNERS'**  
24 **ASSOCIATION, OR CONDOMINIUM ASSOCIATION THAT REQUESTS TO RECEIVE**  
25 **NOTICE OF HEARINGS UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION MAY ELECT**  
26 **TO RECEIVE WRITTEN OR ELECTRONIC NOTICE.**

27 26-1512.

28 (a) In addition to the newspaper notice required under § 4-208 of this article, the  
29 Board shall post a suitable notice in a conspicuous place at the location described in an  
30 application for at least 10 days before the application hearing.

1 (b) A notice under subsection (a) of this section shall state the class of license for  
2 which the application is made and the date, time, and location set by the Board for an  
3 application hearing.

4 (c) (1) If the location described in the application is in a municipality, written  
5 notice of the application shall be made to the governing body of the municipality.

6 (2) A municipality that receives written notice under this subsection has  
7 standing to appear at the application hearing.

8 26-1702.

9 (a) The Board may not approve the transfer of a license from one location to  
10 another:

11 (1) except as provided in subsection (b) of this section, for at least 2 years  
12 after the issuance of a new license; and

13 (2) unless the Board determines that:

14 (i) the transfer to the new location is necessary to accommodate the  
15 public; and

16 (ii) the transferee has complied with the residency requirements  
17 specified in § 26-1406(c) of this title.

18 (b) Subject to the approval of the Board, a receiver or trustee may transfer  
19 ownership and location of a license for the benefit of creditors of a license holder within 6  
20 months after:

21 (1) appointment as the receiver or trustee; or

22 (2) the death of the license holder.

23 (c) (1) The Board may approve a transfer of location or ownership within 2  
24 years after a transfer of location has been authorized.

25 (2) This paragraph does not prohibit a transfer of ownership for  
26 continuance of a business in the same location, unless there has been a transfer of location  
27 for the license within 2 years.

28 (d) A transfer of a license in accordance with a security agreement is subject to  
29 approval by the Board like any other license transfer, except that the written consent and  
30 cooperation of the existing license holder is not required.

31 **(E) (1) IN ADDITION TO ANY OTHER NOTICE REQUIRED UNDER THIS**  
32 **ARTICLE, THE BOARD SHALL PROVIDE ~~WRITTEN AND ELECTRONIC~~ NOTICE OF THE**

1 TIME, DATE, AND LOCATION OF A HEARING, AS SOON AS PRACTICABLE AFTER A  
 2 HEARING FOR A LICENSE TRANSFER IS SCHEDULED, TO ALL MUNICIPALITIES, CIVIC  
 3 ASSOCIATIONS, HOMEOWNERS' ASSOCIATIONS, AND CONDOMINIUM ASSOCIATIONS  
 4 THAT:

5 ~~(1)~~ (I) ARE WITHIN 1 MILE OF THE LOCATION OF THE PROPOSED  
 6 PLACE OF BUSINESS OF THE APPLICANT; AND

7 ~~(2)~~ (II) REQUEST TO RECEIVE NOTICE OF HEARINGS BY SIGNING UP  
 8 ON A REGISTRY ON THE BOARD'S WEB SITE.

9 (2) A MUNICIPALITY, CIVIC ASSOCIATION, HOMEOWNERS'  
 10 ASSOCIATION, OR CONDOMINIUM ASSOCIATION THAT REQUESTS TO RECEIVE  
 11 NOTICE OF HEARINGS UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION MAY ELECT  
 12 TO RECEIVE WRITTEN OR ELECTRONIC NOTICE.

13 26-1801.

14 (a) The following sections of Title 4, Subtitle 4 ("Renewal of Local Licenses") of  
 15 Division I of this article apply in the County without exception or variation:

16 (1) § 4-402 ("Eligibility for renewal; process");

17 (2) § 4-403 ("Renewal application");

18 (3) § 4-408 ("Issuance of renewed licenses");

19 (4) § 4-409 ("Multiple licenses"); and

20 (5) § 4-410 ("Chain store, supermarket, or discount house").

21 (b) Section 4-404 ("Filing period for renewal application") of Division I of this  
 22 article does not apply in the County and is superseded by § 26-1802 of this subtitle.

23 (c) The following sections of Title 4, Subtitle 4 ("Renewal of Local Licenses") of  
 24 Division I of this article apply in the County:

25 (1) § 4-405 ("Contents of renewal application"), subject to § 26-1804 of this  
 26 subtitle;

27 (2) § 4-406 ("Protests"), subject to § 26-1803 of this subtitle; and

28 (3) § 4-407 ("Denial of renewal application"), subject to § 26-1806 of this  
 29 subtitle.

30 26-1803.

1 (a) A protest of a license renewal shall be filed with the Board on or before March  
2 1.

3 (b) A municipality in which the licensed premises is located may make a protest  
4 of a license renewal after holding a public hearing concerning the protest.

5 (c) **(1) IN ADDITION TO ANY OTHER NOTICE REQUIRED UNDER THIS**  
6 **ARTICLE, THE BOARD SHALL PROVIDE ~~WRITTEN AND ELECTRONIC~~ NOTICE OF THE**  
7 **TIME, DATE, AND LOCATION OF A HEARING, AS SOON AS PRACTICABLE AFTER THE**  
8 **HEARING IS SCHEDULED, TO ALL MUNICIPALITIES, CIVIC ASSOCIATIONS,**  
9 **HOMEOWNERS' ASSOCIATIONS, AND CONDOMINIUM ASSOCIATIONS THAT:**

10 ~~(1)~~ **(I) ARE WITHIN 1 MILE OF THE LOCATION OF THE PROPOSED**  
11 **PLACE OF BUSINESS OF THE APPLICANT; AND**

12 ~~(2)~~ **(II) REQUEST TO RECEIVE NOTICE OF HEARINGS BY SIGNING UP**  
13 **ON A REGISTRY ON THE BOARD'S WEB SITE.**

14 **(2) A MUNICIPALITY, CIVIC ASSOCIATION, HOMEOWNERS'**  
15 **ASSOCIATION, OR CONDOMINIUM ASSOCIATION THAT REQUESTS TO RECEIVE**  
16 **NOTICE OF HEARINGS UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION MAY ELECT**  
17 **TO RECEIVE WRITTEN OR ELECTRONIC NOTICE.**

18 **26-2605.**

19 **(A) THE BOARD SHALL:**

20 **(1) OBTAIN FROM THE APPROPRIATE LAW ENFORCEMENT AGENCIES**  
21 **INFORMATION REGARDING CITATIONS ISSUED AND ARRESTS MADE ON LICENSED**  
22 **PREMISES FOR VIOLATIONS OF § 14-139.03 OF THE PRINCE GEORGE'S COUNTY**  
23 **CODE; AND**

24 **(2) MAINTAIN A COMPREHENSIVE DATABASE OF:**

25 **(I) THE INFORMATION OBTAINED UNDER ITEM (1) OF THIS**  
26 **SUBSECTION; AND**

27 **(II) FINES IMPOSED UNDER SUBSECTION (B) OF THIS SECTION.**

28 **(B) THE BOARD MAY IMPOSE A FINE UNDER § 26-2802 OF THIS TITLE ON A**  
29 **LICENSE HOLDER IF AT LEAST 3 CITATIONS ARE ISSUED OR ARRESTS ARE MADE ON**  
30 **THE LICENSED PREMISES FOR VIOLATIONS OF § 14-139.03 OF THE PRINCE**  
31 **GEORGE'S COUNTY CODE IN A 12-MONTH PERIOD.**

1 ~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to~~  
2 ~~apply only prospectively and may not be applied or interpreted to have any effect on or~~  
3 ~~application to any licenses issued in an area designated as a food desert or qualifying as a~~  
4 ~~target census tract before the effective date of this Act.~~

5 SECTION ~~2.~~ 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6 July 1, 2016.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.