

SENATE BILL 879

A2

6lr2455
CF 6lr2456

By: **Senator Edwards**

Introduced and read first time: February 5, 2016

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Garrett County – Alcoholic Beverages – Various Licenses**

3 FOR the purpose of specifying certain annual fees for certain 7–day alcoholic beverages
4 licenses; altering the number of days after the expiration date of a wine festival
5 license that a holder of a State wholesale, Class 3 winery, or Class 4 limited winery
6 license may accept returns from a holder of a wine festival license; providing that
7 the Garrett County Board of License Commissioners is not required to hold a hearing
8 before issuing certain Class C temporary licenses; and generally relating to alcoholic
9 beverages in Garrett County.

10 BY repealing and reenacting, without amendments,

11 Article – Alcoholic Beverages

12 Section 21–102, 21–601(a), 21–602(a), 21–604(a), 21–701(a), 21–801(a), 21–802(a),
13 21–803(a), 21–805(a), 21–902(a), 21–903(a), 21–904(b), 21–905(a)(1),
14 21–1001(a), 21–1002(a), and 21–1305(a)(1)

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 21–601(c), 21–602(d), 21–604(c), 21–701(d), 21–801(c), 21–802(d), 21–803(e),
21 21–805(e), 21–902(g), 21–903(f), 21–904(g), 21–905(e), 21–1001(e),
22 21–1002(e), 21–1305(i), 21–1309, and 21–1501

23 Annotated Code of Maryland

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Alcoholic Beverages

21–102.

This title applies only in Garrett County.

21–601.

(a) There is a Class A beer license.

(c) (1) The annual license [fee is] **FEES ARE:**

(I) \$150 FOR A 6–DAY LICENSE; AND

(II) \$175 FOR A 7–DAY LICENSE.

(2) The new–license issuing fee is \$150 and shall be paid in addition to the annual license fee.

21–602.

(a) There is a Class B beer license.

(d) The fees are:

(1) for a **6–DAY** license without a catering option:

(i) \$150 for a one–time issuing fee; and

(ii) \$150 for the annual license fee; [and]

(2) for a **6–DAY** license with a catering option:

(i) \$250 for a one–time issuing fee; and

(ii) \$250 for the annual license fee;

(3) FOR A 7–DAY LICENSE WITHOUT A CATERING OPTION:

(I) \$175 FOR A ONE–TIME ISSUING FEE; AND

(II) \$150 FOR THE ANNUAL LICENSE FEE; AND

(4) FOR A 7–DAY LICENSE WITH A CATERING OPTION:

1 (I) \$275 FOR A ONE-TIME ISSUING FEE; AND

2 (II) \$250 FOR THE ANNUAL LICENSE FEE.

3 21-604.

4 (a) There is a Class D beer license.

5 (c) (1) The annual license [fee is] FEES ARE:

6 (I) \$150 FOR A 6-DAY LICENSE; AND

7 (II) \$175 FOR A 7-DAY LICENSE.

8 (2) The new-license issuing fee is \$150 and shall be paid in addition to the
9 annual license fee.

10 21-701.

11 (a) There is a Class A wine license in the County.

12 (d) (1) The one-time license issuing fee is \$50.

13 (2) The annual license [fee is] FEES ARE:

14 (I) \$50 FOR A 6-DAY LICENSE; AND

15 (II) \$60 FOR A 7-DAY LICENSE.

16 21-801.

17 (a) There is a Class A beer and wine license.

18 (c) (1) The annual license [fee is] FEES ARE:

19 (I) \$350 FOR A 6-DAY LICENSE; AND

20 (II) \$410 FOR A 7-DAY LICENSE.

21 (2) The issuing fee for a new license is \$350, in addition to the annual
22 license fee.

23 21-802.

24 (a) There is a Class B beer and wine license.

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- 1 (d) (1) For a **6-DAY** license without a catering option:
- 2 (i) the issuing fee for a new license is \$350; and
- 3 (ii) the annual fee is \$350.
- 4 (2) For a **6-DAY** license with a catering option:
- 5 (i) the issuing fee for a new license is \$475; and
- 6 (ii) the annual fee is \$475.
- 7 **(3) FOR A 7-DAY LICENSE WITHOUT A CATERING OPTION:**
- 8 **(I) THE ISSUING FEE FOR A NEW LICENSE IS \$410; AND**
- 9 **(II) THE ANNUAL FEE IS \$350.**
- 10 **(4) FOR A 7-DAY LICENSE WITH A CATERING OPTION:**
- 11 **(I) THE ISSUING FEE FOR A NEW LICENSE IS \$475; AND**
- 12 **(II) THE ANNUAL FEE IS \$535.**
- 13 21-803.
- 14 (a) There is a Class BDR (deluxe restaurant) beer and wine license.
- 15 (e) (1) For a **6-DAY** license without a catering option:
- 16 (i) the issuing fee for a new license is \$500; and
- 17 (ii) the annual fee is \$500.
- 18 (2) For a **6-DAY** license with a catering option:
- 19 (i) the issuing fee for a new license is \$625; and
- 20 (ii) the annual fee is \$625.
- 21 **(3) FOR A 7-DAY LICENSE WITHOUT A CATERING OPTION:**
- 22 **(I) THE ISSUING FEE FOR A NEW LICENSE IS \$500; AND**

1 **(II) THE ANNUAL FEE IS \$585.**

2 **(4) FOR A 7-DAY LICENSE WITH A CATERING OPTION:**

3 **(I) THE ISSUING FEE FOR A NEW LICENSE IS \$625; AND**

4 **(II) THE ANNUAL FEE IS \$710.**

5 21-805.

6 (a) There is a Class D beer and wine license.

7 (e) (1) For a **6-DAY** license without a catering option:

8 (i) the issuing fee for a new license is \$350; and

9 (ii) the annual fee is \$350.

10 (2) For a **6-DAY** license with a catering option:

11 (i) the issuing fee for a new license is \$475; and

12 (ii) the annual fee is \$475.

13 **(3) FOR A 7-DAY LICENSE WITHOUT A CATERING OPTION:**

14 **(I) THE ISSUING FEE FOR A NEW LICENSE IS \$350; AND**

15 **(II) THE ANNUAL FEE IS \$410.**

16 **(4) FOR A 7-DAY LICENSE WITH A CATERING OPTION:**

17 **(I) THE ISSUING FEE FOR A NEW LICENSE IS \$475; AND**

18 **(II) THE ANNUAL FEE IS \$535.**

19 21-902.

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

21 (g) (1) For a **6-DAY** license without the catering option, the annual license fee
22 is \$1,500, and the one-time issuing fee is \$1,500.

23 (2) For a **6-DAY** license with the catering option, the annual license fee is
24 \$2,000, and the one-time issuing fee is \$2,000.

1 **(3) FOR A 7-DAY LICENSE WITHOUT THE CATERING OPTION, THE**
 2 **ANNUAL LICENSE FEE IS \$1,750, AND THE ONE-TIME ISSUING FEE IS \$1,500.**

3 **(4) FOR A 7-DAY LICENSE WITH THE CATERING OPTION, THE ANNUAL**
 4 **LICENSE FEE IS \$2,250, AND THE ONE-TIME ISSUING FEE IS \$2,000.**

5 21-903.

6 (a) There is a Class BDR (deluxe restaurant) beer, wine, and liquor license.

7 (f) (1) **(I)** The annual license fee **FOR A 6-DAY LICENSE** is \$2,250, with a
 8 one-time issuance fee of \$2,250.

9 **[(2)] (II)** The annual catering option fee is \$500.

10 **(2) (I) THE ANNUAL LICENSE FEE FOR A 7-DAY LICENSE IS \$2,625,**
 11 **WITH A ONE-TIME ISSUANCE FEE OF \$2,250.**

12 **(II) THE ANNUAL CATERING OPTION FEE IS \$500.**

13 21-904.

14 (b) There is a Class C (club and organization) beer, wine, and liquor license.

15 (g) (1) The annual license [fee is] **FEES ARE:**

16 **(I) \$1,500 FOR A 6-DAY LICENSE, AND**

17 **(II) \$1,750 FOR A 7-DAY LICENSE.**

18 (2) The issuance fee for a new license is \$1,500, in addition to the annual
 19 license fee.

20 21-905.

21 (a) (1) There is:

22 (i) a Class D (75% on-sale) beer, wine, and liquor license; and

23 (ii) a Class D (75% off-sale) beer, wine, and liquor license.

24 (e) (1) For a **6-DAY** Class D (on-sale) beer, wine, and liquor license without a
 25 catering privilege, the annual fee is \$1,500, and the one-time issuance fee for a new license
 26 is \$1,500.

1 (2) For a **6-DAY** Class D (on-sale) beer, wine, and liquor license with a
2 catering privilege, the annual fee is \$2,000, and the issuance fee for a new license is \$2,000.

3 (3) For a **6-DAY** Class D (off-sale) beer, wine, and liquor license, the
4 annual fee is \$3,000, and the one-time issuance fee for a new license is \$3,000.

5 (4) **FOR A 7-DAY CLASS D (ON-SALE) BEER, WINE, AND LIQUOR**
6 **LICENSE WITHOUT A CATERING PRIVILEGE, THE ANNUAL FEE IS \$1,750, AND THE**
7 **ONE-TIME ISSUANCE FEE FOR A NEW LICENSE IS \$1,500.**

8 (5) **FOR A 7-DAY CLASS D (ON-SALE) BEER, WINE, AND LIQUOR**
9 **LICENSE WITH A CATERING PRIVILEGE, THE ANNUAL FEE IS \$2,250, AND THE**
10 **ISSUANCE FEE FOR A NEW LICENSE IS \$2,000.**

11 (6) **FOR A 7-DAY CLASS D (OFF-SALE) BEER, WINE, AND LIQUOR**
12 **LICENSE, THE ANNUAL FEE IS \$3,500, AND THE ONE-TIME ISSUANCE FEE FOR A NEW**
13 **LICENSE IS \$3,000.**

14 [(4)] (7) The Board may grant the license holder the privilege to sell beer,
15 wine, or liquor for off-premises consumption under subsection (d) of this section at no
16 charge.

17 21-1001.

18 (a) There is a Class B-B&B (bed and breakfast) beer, wine, and liquor license.

19 (e) (1) The annual license fee **FOR A 6-DAY LICENSE** is:

20 (i) \$25 for a bed and breakfast with 5 or fewer bedrooms;

21 (ii) \$50 for a bed and breakfast with at least 6 but not more than 10
22 bedrooms; and

23 (iii) \$75 for a bed and breakfast with 11 or more bedrooms.

24 (2) **THE ANNUAL LICENSE FEE FOR A 7-DAY LICENSE IS:**

25 (I) **\$30 FOR A BED AND BREAKFAST WITH 5 OR FEWER**
26 **BEDROOMS;**

27 (II) **\$60 FOR A BED AND BREAKFAST WITH AT LEAST 6 BUT NOT**
28 **MORE THAN 10 BEDROOMS; AND**

29 (III) **\$90 FOR A BED AND BREAKFAST WITH 11 OR MORE**
30 **BEDROOMS.**

1 **(B) THE BOARD IS NOT REQUIRED TO HOLD A HEARING BEFORE ISSUING A**
2 **LICENSE UNDER THIS SECTION IF:**

3 **(1) A LICENSE HOLDER ANTICIPATES ATTENDANCE OF FEWER THAN**
4 **500 INDIVIDUALS AT AN EVENT; AND**

5 **(2) THE BOARD HAS APPROVED A LICENSE FOR THE LICENSE HOLDER**
6 **IN THE PRIOR YEAR.**

7 21-1501.

8 (a) The following sections of Title 4, Subtitle 2 (“Issuance or Denial of Local
9 Licenses”) of Division I of this article apply in the County without exception or variation:

10 (1) § 4-205 (“Chain store, supermarket, or discount house”);

11 (2) § 4-206 (“Limitations on retail sales floor space”);

12 (3) § 4-207 (“Licenses issued to minors”);

13 (4) § 4-208 (“Notice of license application required”);

14 (5) [§ 4-209 (“Hearing”);

15 (6)] § 4-210 (“Approval or denial of license application”);

16 [(7)] **(6)** § 4-211 (“License forms; effective date; expiration”);

17 [(8)] **(7)** § 4-212 (“License not property”); and

18 [(9)] **(8)** § 4-214 (“Waiting periods after denial of license applications”).

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

21 (1) § 4-202 (“Authority of local licensing boards”), subject to §§ 21-1502
22 through 21-1504 of this subtitle;

23 (2) § 4-203 (“Prohibition against issuing multiple licenses to individual or
24 for use of entity”), subject to § 21-1505 of this subtitle and Subtitle 13, Part III and Subtitle
25 16, Part II of this title;

26 (3) § 4-204 (“Prohibition against issuing multiple licenses for same
27 premises”), subject to § 21-1505 of this subtitle;

1 (4) **§ 4-209 (“HEARING”), SUBJECT TO § 21-1309 OF THIS SUBTITLE;**
2 and

3 **(5)** § 4-213 (“Replacement licenses”), subject to § 21-1506 of this subtitle.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2016.