

# SENATE BILL 1076

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CF HB 1551

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By: **Washington County Senators**

Introduced and read first time: February 19, 2016

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **Washington County – Alcoholic Beverages – Population Ratio Quota – Classes of**  
3 **Licenses**

4 FOR the purpose of prohibiting the Washington County Board of License Commissioners  
5 from issuing a Class A off-sale license, a Class B on- and off-sale license, or a Class  
6 D on- and off-sale license in an election district if the number of licenses exceeds the  
7 population ratio quota; authorizing the Board to issue a Class A off-sale license, a  
8 Class B on- and off-sale license, or a Class D on- and off-sale license in an election  
9 district if the number of licenses exceeds the population ratio quota under certain  
10 circumstances; altering a certain seating capacity requirement for a restaurant to be  
11 issued an on-sale license; and generally relating to alcoholic beverages in  
12 Washington County.

13 BY repealing and reenacting, without amendments,

14 Article – Alcoholic Beverages

15 Section 31-102

16 Annotated Code of Maryland

17 (As enacted by Chapter \_\_\_\_ (S.B. 724) of the Acts of the General Assembly of 2016)

18 BY repealing and reenacting, with amendments,

19 Article – Alcoholic Beverages

20 Section 31-1601

21 Annotated Code of Maryland

22 (As enacted by Chapter \_\_\_\_ (S.B. 724) of the Acts of the General Assembly of 2016)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

24 That the Laws of Maryland read as follows:

25 **Article – Alcoholic Beverages**

26 31-102.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 This title applies only in Washington County.

2 31-1601.

3 (a) In this section, "population ratio quota" means one license for every 3,000  
4 individuals residing in the election district where the license will be issued:

5 (1) as determined by the last federal population census; but

6 (2) excluding individuals detained or confined in a correctional facility as  
7 defined in § 1-101 of the Correctional Services Article.

8 (b) Except as provided in subsections (c) and (d) of this section, the Board may not  
9 issue a **CLASS A OFF-SALE** license, **A CLASS B ON- AND OFF-SALE LICENSE, OR A**  
10 **CLASS D ON- AND OFF-SALE LICENSE** in an election district if the number of licenses  
11 exceeds the population ratio quota.

12 (c) **[For any class of license, the] THE** Board may:

13 (1) **[issue the license] ISSUE A CLASS A OFF-SALE LICENSE, A CLASS B**  
14 **ON- AND OFF-SALE LICENSE, OR A CLASS D ON- AND OFF-SALE LICENSE** if the Board:

15 (i) determines that there is a public need **AND DESIRE**, including  
16 government-sanctioned economic revitalization; and

17 (ii) states in the order issuing the license the reasons for its decision  
18 to exceed the population ratio quota; or

19 (2) renew the license or approve the transfer of a license for the same  
20 premises.

21 (d) The Board may issue an on-sale license to a restaurant that:

22 (1) is located in a permanent building;

23 (2) regularly sells and serves food to the public;

24 (3) has a seating capacity of at least[:

25 (i) 75 persons for a Class B (on- and off-sale) license; or

26 (ii) 50 persons **[for a Class B (on-sale) license]**; and

27 (4) has annual gross sales of food and nonalcoholic beverages that exceed  
28 its annual gross sales of alcoholic beverages.

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