

SENATE BILL 1129

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CF 6lr3753

By: **Senator Rosapepe**

Introduced and read first time: February 29, 2016

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Alcoholic Beverages – Special Hotel and Special Hotel**
3 **Concessionaire Licenses**

4 FOR the purpose of establishing in Prince George's County a special hotel license and a
5 special hotel concessionaire license; authorizing the Board of License Commissioners
6 for Prince George's County to issue a special hotel license to a person that owns or
7 operates a hotel that meets certain requirements; authorizing the Board to issue a
8 special hotel concessionaire license to certain persons who operate an establishment
9 that meets certain requirements; providing that an applicant for a special hotel
10 license or special hotel concessionaire license may sell beer, wine, and liquor under
11 certain circumstances and need not meet certain requirements; providing that an
12 applicant for a special hotel license or special hotel concessionaire license need not
13 obtain a certain dance license before offering live music and dancing; providing that
14 a special hotel license or a special hotel concessionaire license may not be counted as
15 a Class B or Class H license for a certain purpose; providing hours and days of sale
16 and annual license fees; specifying that a penalty or other sanction imposed for a
17 certain violation of a regulation of the Board applies to a certain person; and
18 generally relating to alcoholic beverages licenses in Prince George's County.

19 BY repealing and reenacting, without amendments,

20 Article – Alcoholic Beverages

21 Section 26–102

22 Annotated Code of Maryland

23 (As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

24 BY adding to

25 Article – Alcoholic Beverages

26 Section 26–1013.1 and 26–1013.2

27 Annotated Code of Maryland

28 (As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, with amendments,
2 Article – Alcoholic Beverages
3 Section 26–1103(a)(1)
4 Annotated Code of Maryland
5 (As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

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

8 **Article – Alcoholic Beverages**

9 26–102.

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

11 **26–1013.1.**

12 **(A) THERE IS A SPECIAL HOTEL LICENSE.**

13 **(B) (1) THE BOARD MAY ISSUE THE LICENSE TO A PERSON THAT OWNS OR**
14 **OPERATES A HOTEL THAT:**

15 **(I) CONTAINS:**

16 **1. AT LEAST 250 BEDROOMS;**

17 **2. A SPA, AN EXERCISE ROOM, AND A POOL;**

18 **3. AT LEAST 15,000 SQUARE FEET OF CONFERENCE**
19 **ROOM SPACE;**

20 **4. AT LEAST TWO FULL–SERVICE RESTAURANTS AND**
21 **OTHER VENUES, SUCH AS BARS OR LOUNGES, THAT PROVIDE FOOD OR BEVERAGE**
22 **SERVICE; AND**

23 **5. A PARKING GARAGE WITH SPACE FOR AT LEAST 400**
24 **MOTOR VEHICLES; AND**

25 **(II) OFFERS OTHER AMENITIES THAT ARE FOUND IN A**
26 **FIRST–CLASS HOTEL.**

27 **(2) AN APPLICANT FOR THE LICENSE NEED NOT MEET ANY LOCATION,**
28 **VOTING, OWNERSHIP, OR RESIDENCY REQUIREMENT.**

1 **(C) (1) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL BEER,**
2 **WINE, AND LIQUOR:**

3 **(I) IN ANY LOCATION OF THE HOTEL NOT COVERED BY A**
4 **SPECIAL HOTEL CONCESSIONAIRE LICENSE;**

5 **(II) BY THE GLASS OR BOTTLE; AND**

6 **(III) FOR CONSUMPTION ANYWHERE IN THE HOTEL, INCLUDING**
7 **ON THE PREMISES OF THE HOLDER OF A SPECIAL HOTEL CONCESSIONAIRE LICENSE.**

8 **(2) THE LICENSE HOLDER NEED NOT OBTAIN A DANCE LICENSE**
9 **ISSUED BY THE COUNTY BEFORE OFFERING THE PLAYING OF LIVE MUSIC AND**
10 **DANCING IN THE LICENSED PREMISES.**

11 **(3) THE LICENSE MAY NOT BE COUNTED AS A CLASS B OR CLASS H**
12 **LICENSE UNDER § 26-1601 OF THIS TITLE.**

13 **(D) THE HOURS AND DAYS OF SALE AND CONSUMPTION OF BEER, WINE, AND**
14 **LIQUOR UNDER THE LICENSE ARE FROM 6 A.M. TO 3 A.M. THE FOLLOWING DAY,**
15 **MONDAY THROUGH SUNDAY.**

16 **(E) THE ANNUAL LICENSE FEE IS:**

17 **(1) \$5,000; AND**

18 **(2) DUE ON OR BEFORE JUNE 1.**

19 **26-1013.2.**

20 **(A) THERE IS A SPECIAL HOTEL CONCESSIONAIRE LICENSE.**

21 **(B) (1) THE BOARD MAY ISSUE THE LICENSE TO A LESSEE, A SUBLESSEE,**
22 **OR OTHER OPERATOR OF AN ESTABLISHMENT THAT:**

23 **(I) ENGAGES IN THE DAILY SALE OF BEER, WINE, AND LIQUOR**
24 **ON ITS PREMISES FOR CONSUMPTION IN A HOTEL FOR WHICH A LICENSE IS ISSUED**
25 **UNDER § 26-1013.1 OF THIS SUBTITLE; AND**

26 **(II) IS OPERATED AS A CONCESSION IN CONJUNCTION WITH,**
27 **BUT INDEPENDENT OF, THE HOTEL.**

28 **(2) AN APPLICANT FOR THE LICENSE NEED NOT MEET ANY LOCATION,**
29 **VOTING, OWNERSHIP, OR RESIDENCY REQUIREMENT.**

1 **(C) (1) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL BEER,**
2 **WINE, AND LIQUOR:**

3 **(I) ON THE PREMISES OF THE LICENSE HOLDER;**

4 **(II) BY THE GLASS OR BOTTLE; AND**

5 **(III) FOR CONSUMPTION ANYWHERE IN THE HOTEL, INCLUDING**
6 **ON THE PREMISES OF ANOTHER HOLDER OF A SPECIAL HOTEL CONCESSIONAIRE**
7 **LICENSE.**

8 **(2) THE LICENSE HOLDER NEED NOT OBTAIN A DANCE LICENSE**
9 **ISSUED BY THE COUNTY BEFORE OFFERING THE PLAYING OF LIVE MUSIC AND**
10 **DANCING ON THE LICENSED PREMISES.**

11 **(3) THE LICENSE MAY NOT BE COUNTED AS A CLASS B OR CLASS H**
12 **LICENSE UNDER § 26-1601 OF THIS TITLE.**

13 **(D) THE HOURS AND DAYS OF SALE AND CONSUMPTION OF BEER, WINE, AND**
14 **LIQUOR UNDER THE LICENSE ARE FROM 6 A.M. TO 3 A.M. THE FOLLOWING DAY,**
15 **MONDAY THROUGH SUNDAY.**

16 **(E) THE ANNUAL LICENSE FEE IS:**

17 **(1) \$4,000; AND**

18 **(2) DUE ON OR BEFORE JUNE 1.**

19 **(F) A PENALTY OR OTHER SANCTION IMPOSED FOR A VIOLATION IN A HOTEL**
20 **OF A REGULATION OF THE BOARD APPLIES TO THE LICENSE HOLDER WHO THE**
21 **BOARD DETERMINES IS RESPONSIBLE FOR THE VIOLATION.**

22 26-1103.

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

25 (1) the license of the license holder is issued under § 26-1003, § 26-1006,
26 § 26-1008, § 26-1009, § 26-1010, § 26-1011, **§ 26-1013.1, § 26-1013.2**, § 26-1014,
27 § 26-1015, or § 26-1016 of this title;

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
29 1, 2016.