

Chapter 691

(Senate Bill 687)

AN ACT concerning

Charles County – Alcoholic Beverages – Entertainment Concessionaire and Entertainment Facility Licenses

FOR the purpose of authorizing the Board of License Commissioners for Charles County to issue a certain entertainment concessionaire license to certain persons for certain purposes in conjunction with an entertainment facility; authorizing the Board to issue a certain entertainment facility license to a person that owns an entertainment facility in which video lottery terminals and table games are offered to the public; providing that an applicant for an entertainment facility license need not meet certain requirements; specifying the scope of the licenses; providing that beer, wine, and liquor sold under either license may be taken and consumed anywhere in the licensed premises; specifying that the licenses authorize the playing of music and dancing; specifying for the licenses the annual fee and payment date; providing for the application to certain persons of certain penalties and sanctions for violations occurring on certain premises; defining certain terms; and generally relating to alcoholic beverages and entertainment facilities in Charles County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 18–102

Annotated Code of Maryland

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

BY adding to

Article – Alcoholic Beverages

Section 18–1002.1 and 18–1002.2

Annotated Code of Maryland

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

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

Article – Alcoholic Beverages

18–102.

This title applies only in Charles County.

18–1002.1.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “CONCESSIONAIRE” MEANS A LESSEE, A SUBLESSEE, OR ANY OTHER OPERATOR OF AN ESTABLISHMENT THAT:

(I) ENGAGES IN THE DAILY SALE OF BEER, WINE, AND LIQUOR ON ITS PREMISES FOR CONSUMPTION ANYWHERE IN AN ENTERTAINMENT FACILITY; AND

(II) IS OPERATED AS A CONCESSION ADJACENT TO BUT INDEPENDENT OF THE ENTERTAINMENT FACILITY.

(3) “ENTERTAINMENT FACILITY” MEANS A FACILITY THAT HOLDS A LICENSE UNDER TITLE 9, SUBTITLE 1A OF THE STATE GOVERNMENT ARTICLE.

(B) THERE IS AN ENTERTAINMENT CONCESSIONAIRE LICENSE.

(C) THE BOARD MAY ISSUE THE LICENSE TO A CONCESSIONAIRE OPERATING IN CONJUNCTION WITH AN ENTERTAINMENT FACILITY.

(D) (1) THE LICENSE AUTHORIZES:

(I) THE LICENSE HOLDER TO SELL BEER, WINE, AND LIQUOR ON THE PREMISES OF THE CONCESSIONAIRE FOR CONSUMPTION IN ANY PART OF THE LICENSED PREMISES; AND

(II) THE PLAYING OF MUSIC AND DANCING ON THE LICENSED PREMISES.

(2) BEER, WINE, AND LIQUOR PURCHASED UNDER THE LICENSE MAY BE TAKEN INTO AND CONSUMED ANYWHERE IN ANY PART OF THE LICENSED PREMISES.

(E) THE HOURS FOR THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES UNDER THE LICENSE ARE THE SAME AS THE HOURS OF OPERATION FOR A VIDEO LOTTERY FACILITY ESTABLISHED UNDER § 9-1A-23 OF THE STATE GOVERNMENT ARTICLE.

(F) (1) THE ANNUAL FEE FOR THE LICENSE IS \$5,000.

(2) THE FEE SHALL BE PAID ON OR BEFORE MAY 1 OF EACH YEAR TO THE BOARD.

(G) ANY PENALTY OR OTHER SANCTION THAT IS IMPOSED FOR A VIOLATION OF A REGULATION OF THE BOARD ON THE LICENSED PREMISES OF THE HOLDER OF AN ENTERTAINMENT CONCESSIONAIRE LICENSE SHALL APPLY TO THE HOLDER OF A CONCESSIONAIRE'S LICENSE WHO THE BOARD DETERMINES TO BE RESPONSIBLE FOR THE VIOLATION.

18-1002.2.

(A) "ENTERTAINMENT FACILITY" MEANS A FACILITY THAT HOLDS A LICENSE UNDER TITLE 9, SUBTITLE 1A OF THE STATE GOVERNMENT ARTICLE.

(B) THERE IS AN ENTERTAINMENT FACILITY LICENSE.

(C) (1) THE BOARD MAY ISSUE THE LICENSE FOR THE USE OF AN ENTERTAINMENT FACILITY THAT CONTAINS ONE OR MORE FOOD SERVICE FACILITIES, BARS, OR LOUNGES THAT ARE PART OF THE OPERATION OF THE ENTERTAINMENT FACILITY.

(2) (I) THE LICENSE SHALL BE ISSUED TO AN INDIVIDUAL OR ENTITY THAT OWNS AN ENTERTAINMENT FACILITY AND HOLDS A LICENSE UNDER TITLE 9, SUBTITLE 1A OF THE STATE GOVERNMENT ARTICLE.

(II) AN APPLICANT FOR THE LICENSE NEED NOT MEET ANY LOCATION, VOTING, OR RESIDENCY REQUIREMENTS.

(D) (1) THE LICENSE AUTHORIZES:

(I) THE LICENSE HOLDER TO SELL BEER, WINE, AND LIQUOR IN ANY LOCATION OF THE ENTERTAINMENT FACILITY THAT IS NOT COVERED BY AN ENTERTAINMENT CONCESSIONAIRE LICENSE FOR CONSUMPTION ANYWHERE ON THE LICENSED PREMISES; AND

(II) THE PLAYING OF MUSIC AND DANCING ON THE LICENSED PREMISES.

(2) BEER, WINE, AND LIQUOR PURCHASED UNDER THE LICENSE MAY BE TAKEN AND CONSUMED ANYWHERE ON THE LICENSED PREMISES.

(E) THE HOURS FOR THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES UNDER THE LICENSE ARE THE SAME AS THE HOURS OF OPERATION FOR

A VIDEO LOTTERY FACILITY ESTABLISHED UNDER § 9-1A-23 OF THE STATE GOVERNMENT ARTICLE.

(G) (1) THE ANNUAL FEE FOR THE LICENSE IS \$15,000.

(2) THE FEE SHALL BE PAID ON OR BEFORE MAY 1 OF EACH YEAR TO THE BOARD.

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

Enacted under Article II, § 17(c) of the Maryland Constitution, May 28, 2016.