

Chapter 294

(House Bill 1074)

AN ACT concerning

Montgomery County – Laytonsville – Alcoholic Beverages Licenses

MC 22-16

FOR the purpose of authorizing the Board of License Commissioners for Montgomery County to issue, renew, and transfer and otherwise provide a maximum of a certain number of alcoholic beverages licenses for use in the town of Laytonsville under certain conditions; specifying that the licenses may be any combination of certain types of licenses; providing for the effective date of certain provisions of this Act; making this Act an emergency measure; and generally relating to alcoholic beverages licenses in Montgomery County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 8-216(a)(2)(i)
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 8-216(e)
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 25-1605
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 2B – Alcoholic Beverages

8-216.

(a) (2) (i) Except as provided in subparagraphs (ii), (iii), (iv), (v), and (vi) of this paragraph and in subsections (d), (e), and (f) of this section, in Montgomery County, a license for the sale of alcoholic beverages authorized by this article may not be issued for

any place of business located in Damascus (12th election district), and in the towns of Barnesville, Kensington, Laytonsville, Washington Grove and the City of Takoma Park.

(e) **(1)** The Board of License Commissioners may issue, renew, and transfer and otherwise provide a maximum of [2 Class B (on-sale) beer, wine, and liquor licenses] **TWO LICENSES** for use in the town of Laytonsville provided that alcoholic beverages served by a licensee may only be consumed by patrons while patrons are seated.

(2) THE LICENSES AUTHORIZED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY BE ANY COMBINATION OF CLASS B (ON-SALE) BEER, WINE, AND LIQUOR LICENSES AND CLASS H (ON-SALE) BEER AND LIGHT WINE, HOTEL AND RESTAURANT LICENSES.

SECTION 2. BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Alcoholic Beverages

25–1605.

(a) This section applies only to Laytonsville.

(b) **(1)** Subject to subsection (c) of this section, the Board may issue not more than two [Class B (on-sale) beer, wine, and liquor] licenses.

(2) THE LICENSES AUTHORIZED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY BE ANY COMBINATION OF CLASS B (ON-SALE) BEER, WINE, AND LIQUOR LICENSES AND CLASS H (ON-SALE) BEER AND WINE, HOTEL AND RESTAURANT LICENSES.

(c) A license may be issued, renewed, or transferred if alcoholic beverages served by the license holder are consumed by customers while the customers are seated.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect on the taking effect of Chapter ___(S.B.)(6lr1406) of the Acts of the General Assembly of 2016. If Section 2 of this Act takes effect, Section 1 of this Act shall be abrogated and of no further force and effect.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly and, except as provided in Section 3 of this Act, shall take effect from the date it is enacted.

Approved by the Governor, April 26, 2016.