

SB1086/104233/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1086
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “requirements;” insert “establishing certain requirements for the issuance of an alcoholic beverages license to a partnership, corporation, or club in Baltimore City;”.

AMENDMENT NO. 2

On page 2, in line 18, strike “Section” and substitute “**THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 1 (“APPLICATIONS FOR LOCAL LICENSES”) OF DIVISION I OF THIS ARTICLE DO NOT APPLY IN THE CITY:**”

(1) § 4-103 (“APPLICATION ON BEHALF OF PARTNERSHIP”), WHICH IS SUPERSEDED BY § 12-1401.1 OF THIS SUBTITLE;

(2) § 4-104 (“APPLICATION ON BEHALF OF CORPORATION OR CLUB”), WHICH IS SUPERSEDED BY §§ 12-1401.1 AND 12-1402 OF THIS SUBTITLE;
AND

(3) §;

in line 19, strike “of Division I of this article does not apply in the City and” and substitute “**, WHICH**”; and strike in their entirety lines 23 through 26, inclusive.

AMENDMENT NO. 3

On page 3, in lines 1, 3, and 5, in each instance, strike the brackets; in the same lines, strike “(3)”, “(4)”, and “(5)”, respectively; and strike in their entirety lines 8 through 10, inclusive, and substitute:

(Over)

“(A) AN APPLICATION FOR A LICENSE FOR THE USE OF A PARTNERSHIP SHALL BE MADE BY AND THE LICENSE ISSUED TO ALL PARTNERS AS INDIVIDUALS.

(B) EACH OF THE PARTNERS MUST HAVE RESIDED IN THE STATE FOR AT LEAST 2 YEARS BEFORE THE APPLICATION IS FILED.

(C) THE APPLICATION FOR A LICENSE SHALL STATE THE NAME AND ADDRESS OF THE PARTNERSHIP AND THE NAME AND ADDRESS OF EACH APPLICANT.

(D) (1) THIS SUBSECTION APPLIES TO:

(I) A CORPORATION; AND

(II) A CLUB, WHETHER INCORPORATED OR UNINCORPORATED.

(2) EXCEPT AS PROVIDED IN PARAGRAPHS (4) AND (5) OF THIS SUBSECTION, A LICENSE ON BEHALF OF A CORPORATION OR CLUB SHALL BE APPLIED FOR AND ISSUED TO THREE OFFICERS OF THE CORPORATION OR CLUB AS INDIVIDUALS.

(3) AT LEAST ONE OF THE THREE OFFICERS MUST HAVE RESIDED IN THE STATE FOR AT LEAST 2 YEARS BEFORE THE APPLICATION IS FILED.

(4) IF A CORPORATION HAS FEWER THAN THREE OFFICERS OR DIRECTORS, ALL OFFICERS OR DIRECTORS SHALL APPLY FOR A LICENSE.

(5) IN A CLOSE CORPORATION, AT LEAST ONE INDIVIDUAL STOCKHOLDER MAY APPLY FOR A LICENSE IF:

(I) THE CLOSE CORPORATION DOES NOT HAVE OFFICERS OR DIRECTORS; AND

(II) THERE IS AN AFFIRMATIVE VOTE OF A MAJORITY OF THE STOCKHOLDERS.

(6) AN APPLICATION FOR A CORPORATION OR A CLUB LICENSE SHALL INCLUDE:

(I) THE NAME AND ADDRESS OF EACH OFFICER;

(II) THE NAME AND ADDRESS OF THE CORPORATION OR CLUB; AND

(III) THE SIGNATURES OF THE PRESIDENT OR VICE PRESIDENT OF THE CORPORATION OR CLUB AND OF THE THREE OFFICERS TO WHOM THE LICENSE SHALL BE ISSUED.”.