

HOUSE BILL 315

A2

7lr0773

By: **Montgomery County Delegation**

Introduced and read first time: January 25, 2017

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Alcoholic Beverages – Class A Agency Store Beer, Wine,**
3 **and Liquor Licenses**

4 **MC 18–17**

5 FOR the purpose of authorizing the Montgomery County Board of License Commissioners
6 to adopt regulations establishing a Class A agency store beer, wine, and liquor
7 license, subject to the approval of the Montgomery County Executive; specifying the
8 scope of a Class A agency store beer, wine, and liquor license; requiring certain
9 regulations to establish certain terms and conditions that govern the sale of beer,
10 wine, and liquor by certain license holders; authorizing the Board to issue a Class A
11 agency store beer, wine, and liquor license to a holder of a Class A beer and wine
12 license who completes a certain application and surrenders a certain license, subject
13 to a certain provision of law; specifying that a certain license holder may purchase
14 liquor only from the Montgomery County Department of Liquor Control; requiring
15 the Board and the Department of Liquor Control to establish certain criteria for the
16 issuance of a certain license; authorizing the Board and the Department of Liquor
17 Control to adopt limitations on the total number of licenses that may be issued and
18 to impose certain distance restrictions; providing for the termination of a Class A
19 agency store beer, wine, and liquor license and requiring the Board to reissue a Class
20 A beer and wine license on termination of a certain agency relationship with the
21 Department of Liquor Control; specifying a certain annual license fee; and generally
22 relating to the sale of alcoholic beverages in Montgomery County.

23 BY renumbering

24 Article – Alcoholic Beverages

25 Section 25–901

26 to be Section 25–901.1

27 Annotated Code of Maryland

28 (2016 Volume and 2016 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, without amendments,
2 Article – Alcoholic Beverages
3 Section 25–102
4 Annotated Code of Maryland
5 (2016 Volume and 2016 Supplement)

6 BY adding to
7 Article – Alcoholic Beverages
8 Section 25–901
9 Annotated Code of Maryland
10 (2016 Volume and 2016 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
12 That Section(s) 25–901 of Article – Alcoholic Beverages of the Annotated Code of Maryland
13 be renumbered to be Section(s) 25–901.1.

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

16 **Article – Alcoholic Beverages**

17 25–102.

18 This title applies only in Montgomery County.

19 **25–901.**

20 **(A) (1) SUBJECT TO THE APPROVAL OF THE COUNTY EXECUTIVE, THE**
21 **BOARD MAY ADOPT REGULATIONS ESTABLISHING A CLASS A AGENCY STORE BEER,**
22 **WINE, AND LIQUOR LICENSE.**

23 **(2) SUBJECT TO PARAGRAPH (1) OF THIS SUBSECTION, THE LICENSE**
24 **AUTHORIZES THE LICENSE HOLDER TO SELL AT THE PLACE DESCRIBED IN THE**
25 **LICENSE:**

26 **(I) BEER AND WINE AT RETAIL; AND**

27 **(II) LIQUOR AS AN AGENT FOR THE DEPARTMENT OF LIQUOR**
28 **CONTROL.**

29 **(3) THE REGULATIONS SHALL ESTABLISH THE TERMS AND**
30 **CONDITIONS THAT GOVERN THE SALE OF BEER, WINE, AND LIQUOR BY THE LICENSE**
31 **HOLDER.**

1 **(B) SUBJECT TO SUBSECTION (A) OF THIS SECTION, THE BOARD MAY ISSUE**
2 **A CLASS A AGENCY STORE BEER, WINE, AND LIQUOR LICENSE TO A CLASS A BEER**
3 **AND WINE LICENSE HOLDER WHO:**

4 **(1) COMPLETES THE APPLICATION THAT THE BOARD PROVIDES;**

5 **(2) MEETS THE CRITERIA ESTABLISHED BY THE BOARD AND THE**
6 **DEPARTMENT OF LIQUOR CONTROL UNDER SUBSECTION (D) OF THIS SECTION; AND**

7 **(3) SUBJECT TO SUBSECTION (E) OF THIS SECTION, SURRENDERS THE**
8 **CLASS A BEER AND WINE LICENSE.**

9 **(C) THE HOLDER OF A CLASS A AGENCY STORE BEER, WINE, AND LIQUOR**
10 **LICENSE MAY PURCHASE LIQUOR ONLY FROM THE DEPARTMENT OF LIQUOR**
11 **CONTROL.**

12 **(D) THE BOARD AND THE DEPARTMENT OF LIQUOR CONTROL:**

13 **(1) SHALL ESTABLISH CRITERIA FOR THE ISSUANCE OF A CLASS A**
14 **AGENCY STORE BEER, WINE, AND LIQUOR LICENSE UNDER SUBSECTION (A) OF THIS**
15 **SECTION; AND**

16 **(2) MAY ADOPT:**

17 **(I) LIMITATIONS ON THE TOTAL NUMBER OF CLASS A AGENCY**
18 **STORE BEER, WINE, AND LIQUOR LICENSES THAT MAY BE ISSUED; AND**

19 **(II) DISTANCE RESTRICTIONS ON THE ISSUANCE OF A LICENSE**
20 **FOR AN ESTABLISHMENT THAT IS LOCATED WITHIN A SPECIFIED DISTANCE OF A**
21 **COUNTY-OWNED STORE.**

22 **(E) ON TERMINATION OF AN AGENCY RELATIONSHIP BETWEEN THE**
23 **LICENSE HOLDER AND THE DEPARTMENT OF LIQUOR CONTROL FOR THE SALE OF**
24 **LIQUOR:**

25 **(1) THE CLASS A AGENCY STORE BEER, WINE, AND LIQUOR LICENSE**
26 **SHALL TERMINATE; AND**

27 **(2) THE BOARD SHALL REISSUE THE CLASS A BEER AND WINE**
28 **LICENSE TO THE LICENSE HOLDER.**

29 **(F) THE ANNUAL FEE FOR A CLASS A AGENCY STORE BEER, WINE, AND**
30 **LIQUOR LICENSE IS \$5,000.**

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
2 1, 2017.