

HOUSE BILL 1566

A2

7lr0817

By: **Prince George's County Delegation**

Introduced and read first time: February 17, 2017

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Alcoholic Beverages – Licenses**

3 **PG 307–17**

4 FOR the purpose of altering the fee for a Class B beer, wine, and liquor license in Prince
5 George's County; exempting certain applicants for a Class BH license from certain
6 application requirements for sole proprietorships and partnerships in Prince
7 George's County; prohibiting the Board of License Commissioners for Prince
8 George's County from making available for issuance at a hearing less than a certain
9 number of licenses; and generally relating to alcoholic beverages licenses in Prince
10 George's County.

11 BY repealing and reenacting, without amendments,
12 Article – Alcoholic Beverages
13 Section 26–102 and 26–902(a)
14 Annotated Code of Maryland
15 (2016 Volume and 2016 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Alcoholic Beverages
18 Section 26–902(f), 26–1405, and 26–1511
19 Annotated Code of Maryland
20 (2016 Volume and 2016 Supplement)

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

23 **Article – Alcoholic Beverages**

24 26–102.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 This title applies only in Prince George's County.

2 26-902.

3 (a) There is a Class B beer, wine, and liquor license.

4 (f) The annual license fee is [~~\$2,305~~] **\$3,025**.

5 26-1405.

6 (a) This section does not apply to:

7 (1) a racetrack license;

8 (2) a Class BLX license;

9 (3) an arena license;

10 (4) a Class BCE (catering) license;

11 (5) a Class B-CC (convention center) license;

12 (6) a Class B/ECF (educational conference facility) license;

13 (7) **A CLASS BH (HOTEL) LICENSE;**

14 (8) the issuance, renewal, or transfer of Class B-DD (development district)
15 licenses; or

16 ~~[(8)]~~ (9) a business whose stock or interest is authorized for sale by the
17 United States Securities and Exchange Commission.

18 (b) (1) An application for a license for a proprietorship shall state the name
19 and address of the partnership and the name and address of the applicant.

20 (2) An application for a license for a partnership shall:

21 (i) be made by and the license issued to each partner as an
22 individual; and

23 (ii) state the name and address of the partnership and the names
24 and addresses of each applicant.

25 (c) (1) This subsection does not apply to a Class B-Stadium beer and light
26 wine license, a 7-day Class B-ECR on-sale beer, wine, and liquor license, or a Class
27 B-WPL (waterfront pavilion) beer, wine, and liquor license.

1 (2) To be eligible to receive a license, a partner shall:

2 (i) have been a resident of the State for at least 1 year before the
3 application is filed and continue to be a resident as long as the license is in effect; and

4 (ii) be a registered voter of the State.

5 26-1511.

6 (a) (1) The Board may adopt a calendar that establishes:

7 (i) filing dates by which license applications are required to be filed;
8 and

9 (ii) hearing dates for license application hearings.

10 (2) A filing date for a license application shall be at least 60 days before the
11 hearing at which the application is to be heard.

12 (b) (1) The Board shall determine the number of licenses of each class that
13 may be applied for at a hearing.

14 (2) The number of licenses that the Board makes available for issuance at
15 a hearing may **NOT** be less than the total number of licenses in each class that remains
16 unissued by the Board.

17 (3) If, after a hearing, the applicants who are qualified for the issuance of
18 a license of a certain class outnumber the licenses of that class authorized to be issued at
19 the hearing, the Board shall determine the applicants who are best qualified to be license
20 holders.

21 (4) The Board may not issue additional licenses of any class that were not
22 determined and published as available for the hearing.

23 (c) (1) Before holding a hearing, the Board shall publish a notice of the hearing
24 in at least two newspapers of general circulation in the county.

25 (2) The notice shall be published at least 30 days before the date by which
26 license applications are required to be filed for consideration at the hearing.

27 (3) The notice shall contain:

28 (i) the number of licenses of each class that are available for
29 issuance;

30 (ii) a description of each class;

1 (iii) the date by which license applications must be filed to be
2 considered at the license application hearing; and

3 (iv) the date of the hearing.

4 (d) (1) In addition to any other notice required under this article, the Board
5 shall provide notice of the date, time, and location of a hearing, as soon as practicable after
6 the hearing is scheduled, to all municipalities, civic associations, homeowners' associations,
7 and condominium associations that:

8 (i) are within 1 mile of the location of the proposed place of business
9 of the applicant; and

10 (ii) request to receive notice of hearings by signing up on a registry
11 on the Board's Web site.

12 (2) A municipality, civic association, homeowners' association, or
13 condominium association that requests to receive notice of hearings under paragraph (1)(ii)
14 of this subsection may elect to receive written or electronic notice.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
16 1, 2017.