

HOUSE BILL 147

A2

8lr0427

By: **Montgomery County Delegation**

Introduced and read first time: January 17, 2018

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Alcoholic Beverages Licenses – Inspections and**
3 **Statements During Initial License Year**

4 **MC 7–18**

5 FOR the purpose of requiring the Board of License Commissioners for Montgomery County
6 to adopt regulations to require inspections of a premises for which the Board issues
7 a license at least quarterly during the initial license year and periodically thereafter;
8 exempting certain licensed premises from the inspection requirement; repealing
9 certain provisions of law requiring certain licensed premises to be inspected at least
10 monthly during the initial license year; repealing provisions of law requiring holders
11 of certain licenses to submit to the Board of License Commissioners during the initial
12 license year certain monthly statements showing gross receipts from the sale of food
13 and alcoholic beverages; and generally relating to the initial license year of alcoholic
14 beverages licenses issued in Montgomery County.

15 BY repealing and reenacting, without amendments,
16 Article – Alcoholic Beverages
17 Section 25–102, 25–902(a), 25–903(a), and 25–906(a)
18 Annotated Code of Maryland
19 (2016 Volume and 2017 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article – Alcoholic Beverages
22 Section 25–902(d), 25–903(e), and 25–906(d)
23 Annotated Code of Maryland
24 (2016 Volume and 2017 Supplement)

25 BY adding to
26 Article – Alcoholic Beverages
27 Section 25–1611

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2016 Volume and 2017 Supplement)

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

5 **Article – Alcoholic Beverages**

6 25–102.

7 This title applies only in Montgomery County.

8 25–902.

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

10 (d) The Board shall adopt regulations to[:

11 (1) provide for:

12 (i) periodic inspection of the premises; and

13 (ii) **PROVIDE FOR** audits to determine the ratio of gross receipts
14 from the sale of food to gross receipts from the sale of beer, wine, and liquor]; and

15 (2) during the initial license year, require:

16 (i) at least monthly physical inspections of the premises; and

17 (ii) the license holder to submit to the Board monthly statements
18 showing gross receipts from the sale of food and gross receipts from the sale of beer, wine,
19 and liquor for the preceding month].

20 25–903.

21 (a) There is a Class BD–BWL license.

22 (e) [(1)] The Board by regulation shall provide [for periodic inspection of the
23 premises and] for audits to determine the ratio of gross receipts from the sale of food to
24 gross receipts from the sale of alcoholic beverages.

25 [(2) Regulations adopted by the Board shall include a requirement of:

26 (i) at least monthly physical inspections of the premises during the
27 initial license year of any license holder; and

1 (ii) the submission by the license holder to the Board, during the
2 initial license year, of monthly statements showing gross receipts from the sale of food and
3 gross receipts from the sale of alcoholic beverages for the immediately preceding month.]

4 25-906.

5 (a) There is a Class D beer, wine, and liquor license.

6 (d) The Board shall adopt regulations[:

7 (1) to provide for:

8 (i) periodic inspection of the premises; and

9 (ii)] **TO PROVIDE FOR** audits to determine the ratios of gross receipts
10 from the sale of food to gross receipts from the sale of alcoholic beverages[; and

11 (2) during the initial license year, to require:

12 (i) at least monthly physical inspections of the premises; and

13 (ii) the license holder to submit to the Board monthly statements
14 showing gross receipts from the sale of food and gross receipts from the sale of alcoholic
15 beverages for the preceding month].

16 25-1611.

17 **(A) THIS SECTION DOES NOT APPLY TO A PREMISES FOR WHICH THE BOARD**
18 **ISSUES A LICENSE UNDER SUBTITLE 13 OF THIS TITLE.**

19 **(B) THE BOARD SHALL ADOPT REGULATIONS TO REQUIRE AT LEAST**
20 **QUARTERLY INSPECTIONS OF A LICENSED PREMISES DURING THE INITIAL LICENSE**
21 **YEAR AND PERIODIC INSPECTIONS THEREAFTER.**

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
23 1, 2018.