

HOUSE BILL 471

A2
HB 1119/11 – ECM

8lr0808

By: **Prince George's County Delegation**
Introduced and read first time: January 25, 2018
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Alcoholic Beverages – Entertainment Permit –**
3 **Exception**

4 **PG 304–18**

5 FOR the purpose of adding certain requirements that an alcoholic beverages license holder
6 in Prince George's County whose principal business is to provide family
7 entertainment must meet to provide entertainment without first obtaining an
8 entertainment permit; and generally relating to entertainment permits in Prince
9 George's County.

10 BY repealing and reenacting, without amendments,
11 Article – Alcoholic Beverages
12 Section 26–102 and 26–1103(b)
13 Annotated Code of Maryland
14 (2016 Volume and 2017 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Alcoholic Beverages
17 Section 26–1103(a)
18 Annotated Code of Maryland
19 (2016 Volume and 2017 Supplement)

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

22 **Article – Alcoholic Beverages**

23 26–102.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 26-1103.

2 (a) This section does not apply to a license holder that seeks to provide
3 entertainment if:

4 (1) the license of the license holder is issued under § 26-1003, § 26-1006, §
5 26-1008, § 26-1009, § 26-1010, § 26-1011, § 26-1014, § 26-1015, § 26-1016, or § 26-1018.1
6 of this title;

7 (2) the Board determines that:

8 (I) the license holder's principal business is to provide family
9 entertainment;

10 (II) **THE ROOM IN WHICH THE ENTERTAINMENT IS TO BE**
11 **PERFORMED HAS A SEATING CAPACITY OF NOT MORE THAN 110 INDIVIDUALS;**

12 (III) **THE ESTABLISHMENT WILL ALLOW UNDERAGE PERSONS TO**
13 **VIEW THE ENTERTAINMENT AND WILL NOT OFFER ENTERTAINMENT FOR ADULTS**
14 **ONLY;**

15 (IV) **THE AVERAGE DAILY RECEIPTS FROM THE SALE OF FOOD**
16 **WILL BE AT LEAST 60% OF THE TOTAL DAILY RECEIPTS FROM THE SALE OF FOOD**
17 **AND DRINK IN THE ESTABLISHMENT;**

18 (V) **THE ESTABLISHMENT WILL OFFER THE SAME MENU,**
19 **INCLUDING APPETIZERS, MAIN COURSE, AND DESSERT THROUGHOUT THE**
20 **ESTABLISHMENT AND DURING THE TIME WHEN THE ENTERTAINMENT IS**
21 **PERFORMED; AND**

22 (VI) **THE PRICES FOR FOOD AND DRINK IN THE ROOM WHERE**
23 **THE ENTERTAINMENT IS TO BE PERFORMED WILL NOT VARY FROM THE PRICES FOR**
24 **FOOD AND DRINK OFFERED ELSEWHERE IN THE ESTABLISHMENT;**

25 (3) the license is a Class B (on-sale) license issued for a restaurant, and
26 the license holder provides entertainment for adults and children that:

27 (i) is ancillary to the operation of the business; and

28 (ii) is not the primary focus of marketing or promotion for the
29 business; or

30 (4) the license is a veterans or fraternal Class C license and the license
31 holder provides entertainment that:

- 1 (i) is under the direct supervision of the license holder;
- 2 (ii) is for adults, children, and families of the organization or the
- 3 public; and
- 4 (iii) when offered, ends not later than midnight.
- 5 (b) There is an entertainment permit.

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

7 1, 2018.