

# HOUSE BILL 1575

A2

8lr3346

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By: ~~Delegates Brooks, Ebersole, Grammer, Jalisi, and Jones~~ Baltimore County

**Delegation**

Introduced and read first time: February 9, 2018

Assigned to: Economic Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 17, 2018

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Baltimore County – Alcoholic Beverages – Multiple Class B Licenses**

3 FOR the purpose of authorizing the Board of License Commissioners for Baltimore County  
4 to allow a person to obtain a certain interest in one or more licenses issued in another  
5 jurisdiction or state and a certain number of Class B beer, wine, and liquor licenses  
6 that the Board issues; repealing ~~a requirement~~ requirements that a restaurant for  
7 which a certain license is issued have a certain minimum dining seating capacity  
8 and a certain cocktail lounge or bar seating capacity; altering the percentage of sales  
9 in alcoholic beverages that a restaurant for which a certain license is issued is  
10 required to have; requiring a restaurant for which a certain second or subsequent  
11 license is issued to have a certain minimum capital investment for restaurant  
12 facilities; altering the off-sale privileges of a certain license; and generally relating  
13 to Class B beer, wine, and liquor licenses issued in Baltimore County.

14 BY repealing and reenacting, without amendments,

15 Article – Alcoholic Beverages

16 Section 13–102

17 Annotated Code of Maryland

18 (2016 Volume and 2017 Supplement)

19 BY repealing and reenacting, with amendments,

20 Article – Alcoholic Beverages

21 Section 13–1606

22 Annotated Code of Maryland

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



(2016 Volume and 2017 Supplement)

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

**Article – Alcoholic Beverages**

13–102.

This title applies only in Baltimore County.

13–1606.

(a) The Board may allow a person to obtain a direct or indirect interest in:

(1) **IN ADDITION TO ONE OR MORE LICENSES ISSUED IN ANOTHER JURISDICTION OR STATE**, not more than 12 Class B (on-sale — hotels and restaurants) beer, wine, and liquor licenses; or

(2) if one of the restaurants for which a license is issued is located in the Liberty Road Commercial Revitalization District as defined by the County Council on October 18, 1999, not more than 13 Class B (on-sale — hotels and restaurants) beer, wine, and liquor licenses.

(b) A restaurant described in subsection (a) of this section shall:

(1) meet the requirements of the regulations of the Board regarding the availability and issuance of licenses;

(2) meet the definition requirements of “restaurant” established under the regulations of the Board;

~~(3) have a minimum dining seating capacity of 100 individuals;~~

~~(4)~~ [have a cocktail lounge or bar area seating capacity that does not exceed 25% of the dining seating capacity; and

(5)] have not more than ~~40%~~ 49% of sales in alcoholic beverages in connection with the business; **AND**

~~(5) (4)~~ **FOR A SECOND OR SUBSEQUENT LICENSE, HAVE A MINIMUM CAPITAL INVESTMENT OF \$250,000 FOR RESTAURANT FACILITIES.**

(c) An indirect interest is presumed to exist between two persons, if the persons:

(1) have a common parent company;

1 (2) are parties to a franchise agreement, licensing agreement, or concession  
2 agreement;

3 (3) are part of a chain of businesses that is commonly owned and operated;

4 (4) share a director, stockholder, partner, or member;

5 (5) share a director, stockholder, partner, or member of a parent or  
6 subsidiary;

7 (6) share, directly or indirectly, profit from the sale of alcoholic beverages;  
8 or

9 (7) share a trade name, trademark, logo or theme, or mode of operation  
10 identifiable by the public.

11 (d) A **SECOND OR SUBSEQUENT** license described in subsection (a) of this section  
12 does not confer an off-sale privilege.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
14 1, 2018.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.