

SENATE BILL 306

A2

EMERGENCY BILL

8lr2228
CF HB 334

By: **Senator Kasemeyer**

Introduced and read first time: January 22, 2018

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: March 15, 2018

CHAPTER _____

1 AN ACT concerning

2 **Baltimore County – Alcoholic Beverages – License Transfers**

3 FOR the purpose of altering the number of years within which an application for a transfer
4 of a certain alcoholic beverages license in Baltimore County must occur; establishing
5 additional circumstances under which the Board of License Commissioners may
6 approve a change of location of a certain alcoholic beverages license; making this Act
7 an emergency measure; and generally relating to the transfer of alcoholic beverages
8 licenses in Baltimore County.

9 BY repealing and reenacting, without amendments,
10 Article – Alcoholic Beverages
11 Section 13–102 and 13–1404
12 Annotated Code of Maryland
13 (2016 Volume and 2017 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Alcoholic Beverages
16 Section 13–1702
17 Annotated Code of Maryland
18 (2016 Volume and 2017 Supplement)

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

21 **Article – Alcoholic Beverages**

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.



1 13-102.

2 This title applies only in Baltimore County.

3 13-1404.

4 (a) The Board may accept an application for a license from:

5 (1) a contract purchaser of a property that becomes the owner of record of
6 the premises to be licensed before the license is issued;

7 (2) an owner of a premises that is proposed to be licensed; or

8 (3) a developer of a property with the consent and authority of the owner
9 of the property.

10 (b) An application filed under this section need not contain a specific street
11 address or description of the premises to be licensed other than a general description of the
12 site on which the premises will be built, including a property map number, parcel number,
13 property tax identification number, or plat number.

14 13-1702.

15 (a) If the Board approves an application from a contract purchaser, an owner of
16 the location, or a developer under § 13-1404 of this title, the applicant may apply to transfer
17 the license to an operator of the type of business for which the license was approved if:

18 (1) the license is for a location in the site for which the license was
19 approved; and

20 (2) the application for transfer occurs within **[3] 5** years after the original
21 application for the site is approved or construction at the location is completed, whichever
22 is later.

23 (b) Unless otherwise prohibited by law, the Board may approve a change of
24 location of a license issued under § 13-1404 of this title if:

25 **(1) the license holder has engaged in an active alcoholic beverages business**
26 **under the license for at least 1 year before applying for the change; OR**

27 **(2) (I) THE LICENSE HOLDER HAS NOT ENGAGED IN AN ACTIVE**
28 **ALCOHOLIC BEVERAGES BUSINESS UNDER THE LICENSE; AND**

29 **(II) THE BOARD APPROVED A CHANGE OF LOCATION OF THE**
30 **LICENSE FROM ANOTHER LOCATION WITHIN THE SAME COUNTY ELECTION DISTRICT**

1 AT LEAST 5 YEARS BEFORE THE APPLICATION FOR THE CHANGE OF LOCATION
2 UNDER THIS ITEM.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
4 measure, is necessary for the immediate preservation of the public health or safety, has
5 been passed by a yea and nay vote supported by three-fifths of all the members elected to
6 each of the two Houses of the General Assembly, and shall take effect from the date it is
7 enacted.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.