

# HOUSE BILL 334

A2

9lr0624

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By: **Montgomery County Delegation**

Introduced and read first time: January 28, 2019

Assigned to: Economic Matters

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Committee Report: Favorable

House action: Adopted

Read second time: March 12, 2019

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Montgomery County – Alcoholic Beverages – Community Performing Arts**  
3 **Facility Special Event Permit**

4 **MC 30–19**

5 FOR the purpose of establishing in Montgomery County a community performing arts  
6 facility special event permit; specifying that only a holder of a community performing  
7 arts facility license may obtain a community performing arts facility special event  
8 permit; specifying the scope and annual fee for the community performing arts  
9 facility special event permit; requiring a permit holder to provide certain notice to  
10 the Montgomery County Board of License Commissioners before a certain special  
11 event; authorizing a permit holder to hold an unlimited number of events in a year;  
12 and generally relating to community performing arts facilities in Montgomery  
13 County.

14 BY repealing and reenacting, without amendments,  
15 Article – Alcoholic Beverages  
16 Section 25–102  
17 Annotated Code of Maryland  
18 (2016 Volume and 2018 Supplement)

19 BY repealing and reenacting, with amendments,  
20 Article – Alcoholic Beverages  
21 Section 25–1004  
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 2018 Supplement)

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

**Article – Alcoholic Beverages**

25–102.

This title applies only in Montgomery County.

25–1004.

(a) There is a BWL Community Performing Arts Facility license.

(b) (1) The Board may issue the license for use by a nonprofit partnership, limited liability company, corporation, or other entity that owns or leases a performing arts facility that:

(i) is used for art classes, banquets, community–related activities, exhibits, live performances, shows, theater productions, visual art shows, and weddings; and

(ii) has:

1. a minimum capacity of 200 individuals; and
2. a maximum capacity of 1,499 individuals.

(2) The Board may not issue more than three licenses to a nonprofit partnership, limited liability company, corporation, or other entity that owns or leases performing arts facilities in separate locations.

(c) (1) The license authorizes the license holder to sell beer, wine, and liquor by the drink from one or more outlets on the licensed premises for on–premises consumption.

(2) The Board may impose conditions on the issuance or renewal of the license that establish the areas in the community performing arts facility where beer, wine, and liquor may be sold, served, possessed, or consumed.

(3) The license holder shall ensure that food is provided during the hours beer, wine, and liquor are sold, served, possessed, or consumed.

(d) (1) The holder of a Class B–BWLHR license with catering authority, a local caterer’s license, or a State caterer’s license may bring alcoholic beverages and food on the licensed premises under the terms of a contract with a holder of a BWL Community

1 Performing Arts Facility license.

2 (2) A violation of this title that occurs when a caterer brings alcoholic  
3 beverages on licensed premises as provided under paragraph (1) of this subsection is the  
4 responsibility of the caterer and is not the responsibility of the license holder.

5 (e) The license holder may sell beer, wine, and liquor from 9 a.m. on any day of  
6 the week to 2 a.m. the following day.

7 (f) The license may not be transferred to another location.

8 (g) The annual license fee is \$750.

9 (H) (1) **THERE IS A COMMUNITY PERFORMING ARTS FACILITY SPECIAL**  
10 **EVENT PERMIT.**

11 (2) **THE BOARD MAY ISSUE THE PERMIT ONLY TO THE HOLDER OF A**  
12 **BWL COMMUNITY PERFORMING ARTS FACILITY LICENSE.**

13 (3) **A HOLDER OF THE PERMIT MAY SELL BEER, WINE, OR LIQUOR FOR**  
14 **CONSUMPTION ON THE PREMISES OF THE SPECIAL EVENT.**

15 (4) **A HOLDER OF THE PERMIT SHALL NOTIFY THE BOARD IN WRITING**  
16 **ON A FORM PROVIDED BY THE BOARD AT LEAST 14 DAYS BEFORE EACH EVENT.**

17 (5) **A HOLDER OF THE PERMIT MAY HOLD AN UNLIMITED NUMBER OF**  
18 **EVENTS IN A YEAR.**

19 (6) **THE ANNUAL PERMIT FEE IS \$200.**

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
21 1, 2019.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.