

HOUSE BILL 374

A2

9lr1563
CF SB 309

By: **Delegates Chang, Bartlett, Carey, Pena–Melnyk, and Rogers**

Introduced and read first time: January 30, 2019

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Anne Arundel County – Alcoholic Beverages – Racetrack License**

3 FOR the purpose of expanding the privileges of a racetrack license in Anne Arundel County;
4 specifying certain attributes of a licensed racing establishment; specifying the
5 location where beer, wine, and liquor may be sold under the license; specifying that
6 the playing of music and dancing may occur on the licensed premises; authorizing
7 the Board of License Commissioners to issue a concessionaire license; allowing the
8 carrying and consuming of beer, wine, and liquor anywhere on the licensed premises;
9 specifying the days and hours of sale; stating that the license holder need not obtain
10 a certain Sunday license; authorizing a license holder to also hold a certain other
11 license; prohibiting a racetrack license from being counted as a certain license for
12 certain purposes; making conforming changes; and generally relating to alcoholic
13 beverages licenses in Anne Arundel County.

14 BY repealing and reenacting, without amendments,
15 Article – Alcoholic Beverages
16 Section 11–102
17 Annotated Code of Maryland
18 (2016 Volume and 2018 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article – Alcoholic Beverages
21 Section 11–401 and 11–1007
22 Annotated Code of Maryland
23 (2016 Volume and 2018 Supplement)

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

26 **Article – Alcoholic Beverages**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 11-102.

2 This title applies only in Anne Arundel County.

3 11-401.

4 (a) The following sections of Title 2, Subtitle 2 (“Manufacturer’s Licenses”) of
5 Division I of this article apply in the county without exception or variation:

6 (1) § 2-201 (“Issuance by Comptroller”);

7 (2) § 2-202 (“Class 1 distillery license”);

8 (3) § 2-203 (“Class 9 limited distillery license”);

9 (4) § 2-204 (“Class 2 rectifying license”);

10 (5) § 2-205 (“Class 3 winery license”);

11 (6) § 2-206 (“Class 4 limited winery license”);

12 (7) [§ 2-207 (“Class 5 brewery license”);

13 (8)] § 2-208 (“Class 6 pub-brewery license”);

14 [(9) § 2-209 (“Class 7 micro-brewery license”);]

15 [(10)] (8) § 2-210 (“Class 8 farm brewery license”);

16 [(11)] (9) § 2-211 (“Residency requirement”);

17 [(12)] (10) § 2-212 (“Additional licenses”);

18 [(13)] (11) § 2-213 (“Additional fees”);

19 [(14)] (12) § 2-214 (“Sale or delivery restricted”);

20 [(15)] (13) § 2-216 (“Interaction between manufacturing entities and
21 retailers”);

22 [(16)] (14) § 2-217 (“Distribution of alcoholic beverages — Prohibited
23 practices”); and

24 [(17)] (15) § 2-218 (“Restrictive agreements between producers and
25 retailers — Prohibited”).

1 **[(b) Section 2–215 (“Beer sale on credit to retail dealer prohibited”) of Division I of**
2 **this article applies in the county, subject to § 11–403 of this subtitle.]**

3 **(B) THE FOLLOWING SECTIONS OF TITLE 2, SUBTITLE 2**
4 **(“MANUFACTURER’S LICENSES”) OF DIVISION I OF THIS ARTICLE APPLY IN THE**
5 **COUNTY:**

6 **(1) § 2–207 (“CLASS 5 BREWERY LICENSE”), SUBJECT TO § 11–1007**
7 **OF THIS TITLE;**

8 **(2) § 2–209 (“CLASS 7 MICRO–BREWERY LICENSE”), SUBJECT TO §**
9 **11–1007 OF THIS TITLE; AND**

10 **(3) § 2–215 (“BEER SALE ON CREDIT TO RETAIL DEALER**
11 **PROHIBITED”), SUBJECT TO § 11–403 OF THIS SUBTITLE.**

12 11–1007.

13 (a) There is a racetrack license.

14 (b) (1) The Board may issue the license to the owner of a [regularly] licensed
15 racing establishment **THAT HOLDS PUBLIC MEETINGS AT WHICH PARI–MUTUEL**
16 **BETTING IS ALLOWED.**

17 (2) There are no residential or voting qualifications for a license applicant.

18 [(c) The license authorizes the license holder to sell alcoholic beverages at one or
19 more locations on the premises of the racing park.

20 (d) The license holder may sell alcoholic beverages from 2 hours before the
21 running of an authorized race to 2 hours after the running of an authorized race.]

22 **(C) THE RACETRACK LICENSE AUTHORIZES:**

23 **(1) THE SALE OF BEER, WINE, AND LIQUOR IN A LOCATION OF THE**
24 **LICENSED RACING ESTABLISHMENT NOT COVERED BY A CONCESSIONAIRE LICENSE**
25 **THAT IS ISSUED IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION; AND**

26 **(2) THE PLAYING OF MUSIC AND DANCING ON THE LICENSED**
27 **PREMISES.**

28 **(D) (1) THE BOARD MAY ISSUE A CONCESSIONAIRE LICENSE TO A**
29 **CONCESSIONAIRE OPERATING IN CONJUNCTION WITH A LICENSED RACING**
30 **ESTABLISHMENT.**

1 **(2) A CONCESSIONAIRE LICENSE SHALL BE GOVERNED BY §**
2 **11-1004(D) THROUGH (G) OF THIS SUBTITLE.**

3 **(E) BEER, WINE, AND LIQUOR SOLD UNDER A RACETRACK LICENSE MAY BE**
4 **CARRIED AND CONSUMED ANYWHERE ON THE LICENSED PREMISES.**

5 **(F) (1) THE LICENSE HOLDER MAY SELL ALCOHOLIC BEVERAGES**
6 **MONDAY THROUGH SUNDAY FROM 6 A.M. TO 2 A.M. THE FOLLOWING DAY.**

7 **(2) A HOLDER OF A RACETRACK LICENSE NEED NOT OBTAIN A**
8 **SUNDAY LICENSE TO SELL ALCOHOLIC BEVERAGES ON SUNDAY.**

9 **(G) THE LICENSE HOLDER MAY ALSO HOLD A CLASS 5 BREWERY LICENSE**
10 **OR A CLASS 7 MICRO-BREWERY LICENSE.**

11 **(H) A RACETRACK LICENSE MAY NOT BE COUNTED AS A CLASS B LICENSE**
12 **OR A CLASS H LICENSE UNDER § 11-1609 OF THIS TITLE.**

13 **[(e)] (I)** The license fee is \$60 per day of live or simulcast racing to be paid to
14 the Board on or before January 1 for the racing of the preceding year.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
16 1, 2019.