

HOUSE BILL 936

A2

9lr2673

By: **Delegate Cassilly**

Introduced and read first time: February 8, 2019

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Harford County – Alcoholic Beverages – Multiple Licensing Plans**

3 FOR the purpose of authorizing the Harford County Board of License Commissioners to
4 issue a Class B beer, wine, and liquor license to an applicant that holds or has applied
5 for certain manufacturing licenses; providing that the license may be transferred
6 only to certain license holders; and generally relating to alcoholic beverages in
7 Harford County.

8 BY repealing and reenacting, without amendments,

9 Article – Alcoholic Beverages

10 Section 22–102 and 22–902

11 Annotated Code of Maryland

12 (2016 Volume and 2018 Supplement)

13 BY adding to

14 Article – Alcoholic Beverages

15 Section 22–1608

16 Annotated Code of Maryland

17 (2016 Volume and 2018 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

19 That the Laws of Maryland read as follows:

20 **Article – Alcoholic Beverages**

21 22–102.

22 This title applies only in Harford County.

23 22–902.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) There is:

2 (1) a Class B beer, wine, and liquor 6-day license; and

3 (2) a Class B beer, wine, and liquor 7-day license.

4 (b) The Board may issue the license to a license holder for use by:

5 (1) a hotel that:

6 (i) accommodates the public and provides service ordinarily found
7 in hotels; and

8 (ii) has:

9 1. at least 25 rooms;

10 2. a lobby with a registration and mail desk; and

11 3. a dining room that serves full-course meals at least twice
12 daily; or

13 (2) a restaurant that:

14 (i) serves full-course meals at least twice daily on each day it is
15 open;

16 (ii) has regular seating at tables, not including seats at bars or
17 counters, for at least 60 individuals;

18 (iii) has been in full-time operation as a restaurant for at least 6
19 months immediately before the application for the license was made, unless the restaurant
20 business was disrupted as a result of fire or other disaster; and

21 (iv) has had a greater daily average in receipts from food sales than
22 from beer, wine, and liquor sales during the 6 months immediately before the application
23 for the license was made.

24 (c) (1) The license authorizes the license holder to sell beer, wine, and liquor,
25 including at a bar or counter in a hotel, at retail at the place described in the license, for
26 on-premises consumption.

27 (2) A holder of a license issued before July 1, 1984, also may sell:

28 (i) beer and wine for off-premises consumption, including:

29 1. subject to paragraph (3) of this subsection, beer in

1 individual bottles and cans; and

2 2. wine in split bottles; and

3 (ii) liquor, if the license holder was granted an off-sale liquor option.

4 (3) Beer may be sold for off-premises consumption in:

5 (i) bottles or cans exceeding 12 ounces in weight or size, if the beer
6 is sold in a quantity of less than six; or

7 (ii) a containerized package, if the package holds at least six bottles
8 or containers.

9 (d) (1) A license holder with an option authorizing the sale of liquor for
10 off-premises consumption may exercise that option in an area that:

11 (i) is described in the license application;

12 (ii) may not exceed 20% of the area normally used in the operation
13 of the restaurant, not including additions or extensions; and

14 (iii) unless sales are conducted only from behind a bar, is separate
15 and distinct from the restaurant seating area.

16 (2) If the license application indicates that sales of beer, wine, and liquor
17 for off-premises consumption will be more extensive than from behind a bar, the applicant
18 shall provide a separate outside entrance for purchasers of alcoholic beverages for
19 off-premises consumption.

20 (3) To meet food sale requirements, receipts for sales of liquor for
21 off-premises consumption may not be included in the calculation of sales.

22 (e) (1) Subject to paragraph (2) of this subsection, if a restaurant holding a
23 Class B beer, wine, and liquor license is located within a freestanding establishment
24 containing bowling lanes associated with the restaurant, the license holder may sell and
25 allow customers to carry or consume alcoholic beverages within any place in the bowling
26 alley or restaurant.

27 (2) The additional privilege under this subsection is available between 6
28 p.m. and the normal closing time for the license.

29 (3) This subsection:

30 (i) only confers additional privileges on licenses for restaurants that
31 are associated with bowling alleys; but

1 (ii) does not create a separate class of license for bowling alleys.

2 (f) A license holder with an off-sale option shall continually maintain a minimum
3 stock of \$8,000 wholesale value in beer, wine, and liquor.

4 (g) (1) The annual license fees for a 6-day license are:

5 (i) \$2,260 for a hotel; and

6 (ii) \$1,720 for a restaurant.

7 (2) The annual license fees for a 7-day license are:

8 (i) \$2,685 for a hotel; and

9 (ii) \$2,145 for a restaurant.

10 (3) The annual license fees for an option to sell liquor for off-premises
11 consumption are:

12 (i) \$350 for a 6-day restaurant; and

13 (ii) \$450 for a 7-day restaurant.

14 **22-1608.**

15 **(A) THE BOARD MAY ISSUE A CLASS B BEER, WINE, AND LIQUOR LICENSE**
16 **TO AN APPLICANT THAT HOLDS OR HAS APPLIED FOR A CLASS 5 BREWERY LICENSE**
17 **OR A CLASS 9 LIMITED DISTILLERY LICENSE.**

18 **(B) A CLASS B BEER, WINE, AND LIQUOR LICENSE ISSUED IN ACCORDANCE**
19 **WITH THIS SECTION MAY BE TRANSFERRED ONLY TO ANOTHER HOLDER OF A CLASS**
20 **5 BREWERY LICENSE OR A CLASS 9 LIMITED DISTILLERY LICENSE.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
22 1, 2019.