

Chapter 585

**(House Bill 186)**

AN ACT concerning

**Prince George's County – Alcoholic Beverages – Family Entertainment Permit**

**PG 301-19**

FOR the purpose of repealing exceptions to the entertainment permit in Prince George's County; establishing a family entertainment permit in the county; establishing requirements that an alcoholic beverages license holder whose business provides family entertainment must meet to obtain a family entertainment permit; requiring the Board of License Commissioners to determine the days and hours the permit is to be in effect, subject to a certain restriction; requiring the Board to adopt certain regulations; establishing a certain fee for the permit; and generally relating to entertainment permits in Prince George's County.

BY repealing and reenacting, without amendments,  
Article – Alcoholic Beverages  
Section 26-102 and 26-1103(b)  
Annotated Code of Maryland  
(2016 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,  
Article – Alcoholic Beverages  
Section 26-1103(a)  
Annotated Code of Maryland  
(2016 Volume and 2018 Supplement)

BY adding to  
Article – Alcoholic Beverages  
Section 26-1103.1  
Annotated Code of Maryland  
(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**

26-102.

This title applies only in Prince George's County.

26-1103.

(a) This section does not apply to a license holder that seeks to provide entertainment if:

(1) the license of the license holder is issued under § 26–1003, § 26–1006, § 26–1008, § 26–1009, § 26–1010, § 26–1011, § 26–1014, § 26–1015, § 26–1016, or § 26–1018.1 of this title; **OR**

[(2) the Board determines that the license holder’s principal business is to provide family entertainment;

(3) the license is a Class B (on–sale) license issued for a restaurant, and the license holder provides entertainment for adults and children that:

(i) is ancillary to the operation of the business; and

(ii) is not the primary focus of marketing or promotion for the business; or]

[(4)] **(2)** the license is a veterans or fraternal Class C license and the license holder provides entertainment that:

(i) is under the direct supervision of the license holder;

(ii) is for adults, children, and families of the organization or the public; and

(iii) when offered, ends not later than midnight.

(b) There is an entertainment permit.

### **26–1103.1.**

**(A) THERE IS A FAMILY ENTERTAINMENT PERMIT.**

**(B) THE BOARD MAY ISSUE THE PERMIT TO A HOLDER OF A CLASS B (ON–SALE) LICENSE IN ACCORDANCE WITH THIS SECTION IF THE BOARD DETERMINES THAT:**

**(1) THE LICENSE HOLDER’S BUSINESS PROVIDES FAMILY ENTERTAINMENT;**

**(2) THE ROOM IN WHICH THE ENTERTAINMENT IS TO BE PROVIDED HAS A SEATING CAPACITY OF NOT MORE THAN 110 INDIVIDUALS;**

**(3) THE ESTABLISHMENT WILL ALLOW UNDERAGE PERSONS TO VIEW THE ENTERTAINMENT AND WILL NOT OFFER ENTERTAINMENT FOR ADULTS ONLY;**

**(4) THE AVERAGE DAILY RECEIPTS FROM THE SALE OF FOOD WILL BE AT LEAST 60% OF THE TOTAL DAILY RECEIPTS FROM THE SALE OF FOOD AND DRINK IN THE ESTABLISHMENT;**

**(5) THE ESTABLISHMENT WILL OFFER THE SAME MENU, INCLUDING APPETIZERS, MAIN COURSES, AND DESSERTS, THROUGHOUT THE ESTABLISHMENT AND DURING THE TIME WHEN THE ENTERTAINMENT IS PROVIDED; AND**

**(6) THE PRICES FOR FOOD AND DRINK IN THE ROOM WHERE THE ENTERTAINMENT IS TO BE PROVIDED WILL NOT VARY FROM THE PRICES FOR FOOD AND DRINK OFFERED ELSEWHERE IN THE ESTABLISHMENT.**

**(C) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE PERMIT AUTHORIZES THE PERMIT HOLDER TO IMPOSE A COVER CHARGE AND PROVIDE ENTERTAINMENT.**

**(2) THE PERMIT HOLDER SHALL COMPLY WITH ALL REQUIREMENTS UNDER COUNTY LAW, INCLUDING ZONING AND USE AND OCCUPANCY LAWS.**

**(D) (1) THE BOARD SHALL DETERMINE:**

**(I) THE NUMBER OF DAYS IN A WEEK THAT A PERMIT HOLDER MAY EXERCISE THE PRIVILEGES OF THE PERMIT; AND**

**(II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE HOURS THAT THE PERMIT MAY BE IN EFFECT.**

**(2) ENTERTAINMENT MAY NOT BE PROVIDED LATER THAN MIDNIGHT.**

**(E) THE HOLDER OF THE PERMIT SHALL BE SUBJECT TO § 26-1103(E) THROUGH (H)(1) AND (H)(3) THROUGH (L) OF THIS SUBTITLE.**

**(F) THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.**

**(G) THE ANNUAL FEE FOR THE PERMIT IS \$250, WHICH IS IN ADDITION TO THE ANNUAL FEE FOR THE CLASS B LICENSE.**

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

**Enacted under Article II, § 17(c) of the Maryland Constitution, May 25, 2019.**