

HOUSE BILL 1283

A2

0lr1486

By: **Prince George's County Delegation**

Introduced and read first time: February 7, 2020

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Alcoholic Beverages – Cigar Lounge License**

3 **PG 312–20**

4 FOR the purpose of establishing a Class B–CL (cigar lounge) beer, wine, and liquor license
5 in Prince George's County; authorizing the Board of License Commissioners for
6 Prince George's County to issue a Class B–CL license for use at a cigar lounge;
7 establishing certain license application requirements; authorizing a license holder to
8 sell beer, wine, and liquor for on–premises consumption on certain days and during
9 certain hours; establishing a certain annual license fee; excluding a Class B–CL
10 license from certain distance restrictions; excluding a certain business that operates
11 in the county under a Class B–CL license from the requirements of the Clean Indoor
12 Air Act; and generally relating to alcoholic beverages licenses in Prince George's
13 County.

14 BY repealing and reenacting, without amendments,

15 Article – Alcoholic Beverages

16 Section 26–102

17 Annotated Code of Maryland

18 (2016 Volume and 2019 Supplement)

19 BY adding to

20 Article – Alcoholic Beverages

21 Section 26–1001.1

22 Annotated Code of Maryland

23 (2016 Volume and 2019 Supplement)

24 BY repealing and reenacting, with amendments,

25 Article – Alcoholic Beverages

26 Section 26–1604(a)

27 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2016 Volume and 2019 Supplement)

2 BY repealing and reenacting, without amendments,
3 Article – Health – General
4 Section 24–504
5 Annotated Code of Maryland
6 (2019 Replacement Volume)

7 BY repealing and reenacting, with amendments,
8 Article – Health – General
9 Section 24–505(3)
10 Annotated Code of Maryland
11 (2019 Replacement Volume)

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

14 **Article – Alcoholic Beverages**

15 26–102.

16 This title applies only in Prince George’s County.

17 **26–1001.1.**

18 **(A) THERE IS A CLASS B–CL (CIGAR LOUNGE) BEER, WINE, AND LIQUOR**
19 **LICENSE.**

20 **(B) THE APPLICATION FOR THE LICENSE SHALL BE SIGNED BY AT LEAST**
21 **ONE OWNER OF THE CIGAR LOUNGE WHO IS A RESIDENT AND TAXPAYER OF THE**
22 **COUNTY.**

23 **(C) THE BOARD MAY ISSUE THE LICENSE FOR USE AT A CIGAR LOUNGE.**

24 **(D) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL BEER, WINE,**
25 **AND LIQUOR FOR ON–PREMISES CONSUMPTION.**

26 **(E) THE LICENSE HOLDER MAY SELL BEER, WINE, AND LIQUOR DURING THE**
27 **HOURS AND DAYS AS SET OUT FOR A CLASS C BEER, WINE, AND LIQUOR LICENSE**
28 **UNDER § 26–2004 OF THIS TITLE.**

29 **(F) THE ANNUAL LICENSE FEE IS \$900.**

30 26–1604.

1 (a) This section does not apply to:

2 (1) a holder of a Class B (RT) beer, wine, and liquor license, a Class BH
3 (hotel) license, a Class BLX license, a Class BCE license, a Class B-DD (development
4 district) license, a Class B-TP (theme park) license, a Class B-AE (arts and entertainment)
5 license, **A CLASS B-CL (CIGAR LOUNGE) LICENSE**, or a per diem license;

6 (2) an establishment that is within:

7 (i) the 500-foot restricted distance of a place of worship, if the
8 governing body of the place of worship consents in writing to the issuance of the license and
9 the consent is filed with the license application; or

10 (ii) the 1,000-foot restricted distance of a private kindergarten or
11 nursery school;

12 (3) a renewal or extension of a license issued for an establishment that is
13 within the 500-foot restricted distance of a place of worship or the 1,000-foot restricted
14 distance of a school building;

15 (4) (i) a transfer of a license within 1,000 feet of a place of worship or a
16 school building to another establishment within the same restricted distance; or

17 (ii) an assignee of a license within the same distance of the same
18 place of worship or school building;

19 (5) the issuance of a license for an establishment to which a license of the
20 same class had been issued and was in effect on June 1, 1965; and

21 (6) the renewal of a license if a place of worship or school was built within
22 1,000 feet of the establishment after the original issuance of the license.

23 Article – Health – General

24 24–504.

25 Except as provided in § 24–505 of this subtitle, beginning on February 1, 2008, a
26 person may not smoke in:

27 (1) An indoor area open to the public;

28 (2) An indoor place in which meetings are open to the public in accordance
29 with Title 3 of the General Provisions Article;

30 (3) A government-owned or government-operated means of mass
31 transportation including buses, vans, trains, taxicabs, and limousines; or

1 (4) An indoor place of employment.

2 24–505.

3 This subtitle does not apply to:

4 (3) A retail tobacco business that is a sole proprietorship, limited liability
5 company, corporation, partnership, or other enterprise[, in which]:

6 (i) 1. [The] **IN WHICH THE** primary activity is the retail sale of
7 tobacco products and accessories; and

8 [(ii)] 2. The sale of other products is incidental; **OR**

9 (ii) **THAT OPERATES IN PRINCE GEORGE’S COUNTY UNDER A**
10 **CLASS B–CL (CIGAR LOUNGE) LICENSE ISSUED IN ACCORDANCE WITH § 26–1001.1**
11 **OF THE ALCOHOLIC BEVERAGES ARTICLE;**

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
13 1, 2020.