

# HOUSE BILL 1293

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CF SB 69

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By: **Delegates Wells, Boyce, Bridges, and Conaway**

Introduced and read first time: February 7, 2020

Assigned to: Economic Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 10, 2020

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

1 AN ACT concerning

2 **Baltimore City – Alcoholic Beverages – Class A, A-2, and A-7 Licenses –**  
3 **Surveillance System**

4 FOR the purpose of providing that an application for a certain license renewal is not  
5 complete without a certain affidavit; extending in Baltimore City the time during  
6 which the Board of License Commissioners may issue a Class A-7 license; repealing  
7 the right to exchange ~~certain licenses~~ a certain license within a certain area;  
8 extending the time during which a certain license holder may exchange a certain  
9 license in a certain area; altering the hours of operation for a holder of a Class A-7  
10 license; requiring the holder of a Class A license, Class A-2 license, or Class A-7  
11 license to install and operate a digital surveillance system on the licensed premises  
12 in accordance with regulations adopted by the Board; requiring the digital  
13 surveillance system to be equipped with certain cameras; requiring certain cameras  
14 to be placed in a certain way; requiring the video recorded from the surveillance  
15 system to be retained for a certain number of days; requiring the Board to adopt, in  
16 consultation with the Baltimore Police Department, regulations relating to digital  
17 surveillance on or before a certain date; requiring the Board to adopt regulations to  
18 require registration with the Baltimore Police Department's CitiWatch Community  
19 Partnership; and generally relating to alcoholic beverages licenses in Baltimore City.

20 BY repealing and reenacting, without amendments,  
21 Article – Alcoholic Beverages  
22 Section 12-102  
23 Annotated Code of Maryland  
24 (2016 Volume and 2019 Supplement)

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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.



1 BY repealing and reenacting, with amendments,  
 2 Article – Alcoholic Beverages  
 3 Section 12–902.1 and 12–1407  
 4 Annotated Code of Maryland  
 5 (2016 Volume and 2019 Supplement)

6 BY adding to  
 7 Article – Alcoholic Beverages  
 8 Section 12–1804.2  
 9 Annotated Code of Maryland  
 10 (2016 Volume and 2019 Supplement)

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

13 **Article – Alcoholic Beverages**

14 12–102.

15 This title applies only in Baltimore City.

16 12–902.1.

17 (a) There is a Class A–7 beer, wine, and liquor license.

18 (b) The license authorizes the license holder to sell beer, wine, and liquor at retail  
 19 at the place described in the license, for off–premises consumption.

20 (c) (1) Subject to [paragraphs] **PARAGRAPH** (2) [through (4)] of this  
 21 subsection, a license holder who holds a valid Class B–D–7 beer, wine, and liquor license  
 22 issued on or before July 1, 2018, may apply to the Board to exchange the license for a Class  
 23 A–7 license if the license holder first obtains approval by resolution of the Baltimore City  
 24 Council.

25 (2) The Board may not issue a Class A–7 license after July 1, [2020] **2022**.

26 ~~(3) In the 46th legislative district, a Class B–D–7 license may be exchanged~~  
 27 ~~for a Class A–7 license.~~

28 ~~(4)~~ **(3)** In the 46th legislative district, the transferee of a Class B–D–7  
 29 license that is successfully transferred from the 3600 block of Fleet Street to the 5600 block  
 30 of Eastern Avenue may apply to the Board to exchange the license for a Class A–7 license  
 31 for use at the Eastern Avenue location on or before July 1, ~~2021~~ **2022**.

1 (d) A holder of a Class A-7 license may sell beer, wine, and liquor on Monday  
2 through Sunday from [9 a.m. to 10 p.m.] **10 A.M. TO MIDNIGHT.**

3 ~~(E) A HOLDER OF A CLASS A-7 LICENSE SHALL OPERATE A DIGITAL~~  
4 ~~SURVEILLANCE SYSTEM ON THE LICENSED PREMISES IN ACCORDANCE WITH~~  
5 ~~REGULATIONS ADOPTED BY THE BOARD UNDER SUBSECTION (H) OF THIS SECTION.~~

6 ~~(F) THE DIGITAL SURVEILLANCE SYSTEM SHALL BE EQUIPPED WITH~~  
7 ~~HIGH-DEFINITION CAMERAS THAT PROVIDE CONTINUOUS, 24-HOUR VIDEO~~  
8 ~~MONITORING PLACED INSIDE AND OUTSIDE THE LICENSED ESTABLISHMENT.~~

9 ~~(G) (1) THE CAMERAS MUST BE PLACED IN SUCH A WAY THAT:~~

10 ~~(I) THE EXTERIOR OF EACH ENTRYWAY INTO THE LICENSED~~  
11 ~~ESTABLISHMENT IS MONITORED;~~

12 ~~(II) THE INTERIOR OF EACH ENTRYWAY INTO THE LICENSED~~  
13 ~~ESTABLISHMENT IS MONITORED; AND~~

14 ~~(III) THE CASH REGISTER OR TILL IS MONITORED.~~

15 ~~(2) THE VIDEO RECORDED FROM THE SURVEILLANCE SYSTEM SHALL~~  
16 ~~BE RETAINED FOR NOT LESS THAN 7 DAYS.~~

17 ~~(H) THE BOARD SHALL ADOPT REGULATIONS ON OR BEFORE AUGUST 15,~~  
18 ~~2020, RELATING TO DIGITAL SURVEILLANCE IN CONSULTATION WITH THE~~  
19 ~~BALTIMORE POLICE DEPARTMENT.~~

20 ~~[(e)] (I)~~ The annual license fee is \$1,500.

21 12-1407.

22 (a) (1) The Board or the Board's designee shall examine each application for  
23 the issuance or transfer of a license within 45 days of receipt of the application to determine  
24 whether the application is complete.

25 (2) Except as provided in paragraph (3) of this subsection, an application  
26 for the issuance, transfer, or renewal is not complete unless the applicant has:

27 (i) obtained zoning approval or verification of zoning if the  
28 application is for renewal;

29 (ii) submitted all documents required in the application; [and]

30 (iii) paid all fines and fees that are due; AND

1                    **(IV) FOR THE RENEWAL OF A CLASS A BEER, WINE, AND LIQUOR**  
2 **LICENSE, A CLASS A-2 BEER, WINE, AND LIQUOR LICENSE, OR A CLASS A-7 BEER,**  
3 **WINE, AND LIQUOR LICENSE, SUBMITTED AN AFFIDAVIT AS REQUIRED BY §**  
4 **12-1804.2 OF THIS TITLE.**

5                    **(3) An application for the issuance, transfer, or renewal of a Class B-D-7**  
6 **license that may be issued under § 12-1603(c)(8) of this title in the Old Goucher**  
7 **Revitalization District under § 12-1603(e) of this title is complete without an applicant**  
8 **obtaining zoning approval or verification of zoning.**

9                    **(b) (1) A license hearing may not be scheduled unless the Board determines**  
10 **that the application is complete.**

11                    **(2) A complete application with all submitted documents shall be posted**  
12 **online at least 14 days before the hearing date.**

13                    **(3) The postponement of a hearing shall be posted online not less than 72**  
14 **hours before the hearing date.**

15                    **(c) (1) To incorporate a change in the application document after the Board or**  
16 **the Board's designee has determined the application to be complete, the applicant shall**  
17 **submit the change to the Board not later than 15 days before the scheduled hearing.**

18                    **(2) After the hearing on the application, an applicant may change the**  
19 **application only at a new hearing.**

20                    **(d) The Board shall impose a fine that it determines for failure to comply with the**  
21 **requirements under this section.**

22 **12-1804.2.**

23                    **(A) THIS SECTION APPLIES ONLY TO A HOLDER OF:**

24                    **(1) A CLASS A BEER, WINE, AND LIQUOR LICENSE;**

25                    **(2) A CLASS A-2 BEER, WINE, AND LIQUOR LICENSE; OR**

26                    **(3) A CLASS A-7 BEER, WINE, AND LIQUOR LICENSE.**

27                    **(B) (1) A LICENSE HOLDER SHALL MAINTAIN AND OPERATE A DIGITAL**  
28 **SURVEILLANCE SYSTEM ON THE LICENSED PREMISES IN ACCORDANCE WITH THE**  
29 **REGULATIONS ADOPTED BY THE BOARD UNDER SUBSECTION (C) OF THIS SECTION.**

1           **(2) THE DIGITAL SURVEILLANCE SYSTEM SHALL BE EQUIPPED WITH**  
2 **HIGH-DEFINITION CAMERAS THAT PROVIDE CONTINUOUS, 24-HOUR VIDEO**  
3 **MONITORING PLACED INSIDE AND OUTSIDE THE LICENSED PREMISES.**

4           **(3) THE CAMERAS MUST BE PLACED IN SUCH A WAY THAT:**

5                   **(I) THE EXTERIOR OF EACH ENTRYWAY INTO THE LICENSED**  
6 **PREMISES IS MONITORED;**

7                   **(II) THE INTERIOR OF EACH ENTRYWAY INTO THE LICENSED**  
8 **PREMISES IS MONITORED; AND**

9                   **(III) THE CASH REGISTER OR TILL IS MONITORED.**

10           **(4) THE VIDEO RECORDED FROM THE SURVEILLANCE SYSTEM SHALL**  
11 **BE RETAINED FOR NOT LESS THAN 14 DAYS.**

12           **(5) A LICENSE HOLDER MUST POST APPROPRIATE SIGNAGE**  
13 **NOTIFYING INDIVIDUALS ON THE PREMISES THEY ARE BEING RECORDED.**

14           **(C) (1) ON OR BEFORE DECEMBER 31, 2020, THE BOARD SHALL ADOPT**  
15 **REGULATIONS RELATING TO DIGITAL SURVEILLANCE IN CONSULTATION WITH THE**  
16 **BALTIMORE POLICE DEPARTMENT.**

17                   **(2) THE REGULATIONS ADOPTED PURSUANT TO PARAGRAPH (1) OF**  
18 **THIS SUBSECTION SHALL REQUIRE A LICENSE HOLDER TO REGISTER WITH THE**  
19 **BALTIMORE POLICE DEPARTMENT'S CITIWATCH COMMUNITY PARTNERSHIP.**

20           **(D) BEGINNING JANUARY 1, 2021, A LICENSE HOLDER APPLYING FOR A**  
21 **LICENSE RENEWAL SHALL FILE WITH THE LICENSE RENEWAL APPLICATION AN**  
22 **AFFIDAVIT VERIFYING COMPLIANCE WITH SUBSECTION (B) OF THIS SECTION.**

23           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
24 1, 2020.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.