SENATE BILL 130

A1, A2 0lr0836

By: Senator Simonaire

Introduced and read first time: January 9, 2020

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 Alcoholic Beverages - License Requirements - Registered Voter and Citizenship

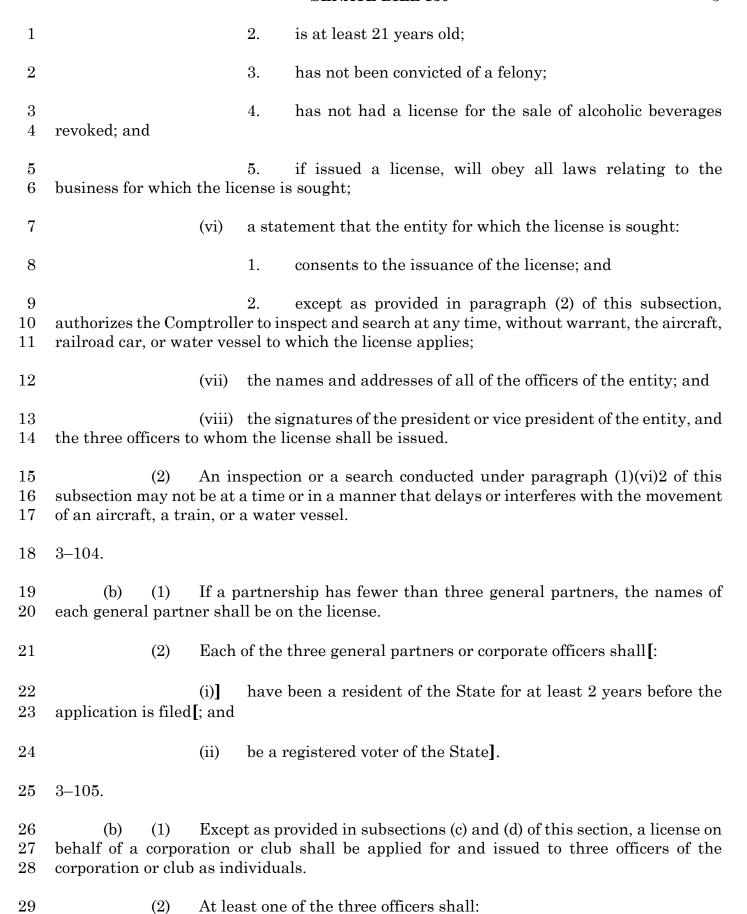
- 3 FOR the purpose of repealing requirements that an applicant for an alcoholic beverages
- 4 license be a registered voter; altering certain citizenship requirements for alcoholic
- 5 beverages license holders; and generally relating to alcoholic beverages licenses.
- 6 BY repealing and reenacting, without amendments,
- 7 Article Alcoholic Beverages
- 8 Section 2-407(a)(1), 9-102, 11-102, 11-1002(a), 11-1010(a), 12-102, 13-102,
- 9 20–102, 22–102, 23–102, 25–102, 25–1007(a), 26–102, 26–1004(a)
- 10 26–1005(a), 26–1008(a), 26–1009(a), 26–1019(a), 28–102, 31–102, 31–1312(a),
- 11 32–102, 33–102, and 33–1402(a)
- 12 Annotated Code of Maryland
- 13 (2016 Volume and 2019 Supplement)
- 14 BY repealing and reenacting, with amendments,
- 15 Article Alcoholic Beverages
- Section 2–407(c)(3) and (4) and (d), 3–104(b), 3–105(b), 3–106(a), 4–104(b), 4–105(a),
 - 4-109(a)(3), 9-1402, 11-1002(b), 11-1010(b), 12-1405, 13-1402(a),
- 18 20–1404(a), 22–1402, 23–1404(d)(2), 25–1007(b), 25–1406(b), 26–1004(b),
- 20 1101(a), 22 1102, 29 1101(a)(2), 29 1007(b), 29 1100(b),
- 19 26–1005(b), 26–1008(b), 26–1009(b), 26–1019(b), 26–1405(c), 26–1406(c),
- 20 28–1408, 31–1312(e), 32–1403(b), 32–1405, and 33–1402(b)
- 21 Annotated Code of Maryland
- 22 (2016 Volume and 2019 Supplement)
- 23 BY repealing

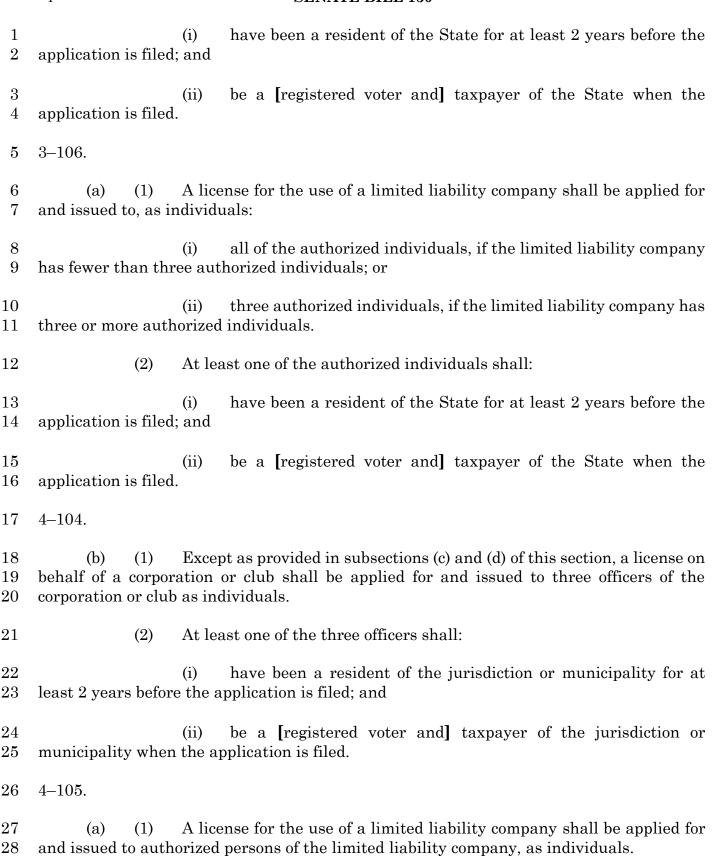
17

- 24 Article Alcoholic Beverages
- 25 Section 2–407(c)(5) and 12–1402
- 26 Annotated Code of Maryland
- 27 (2016 Volume and 2019 Supplement)



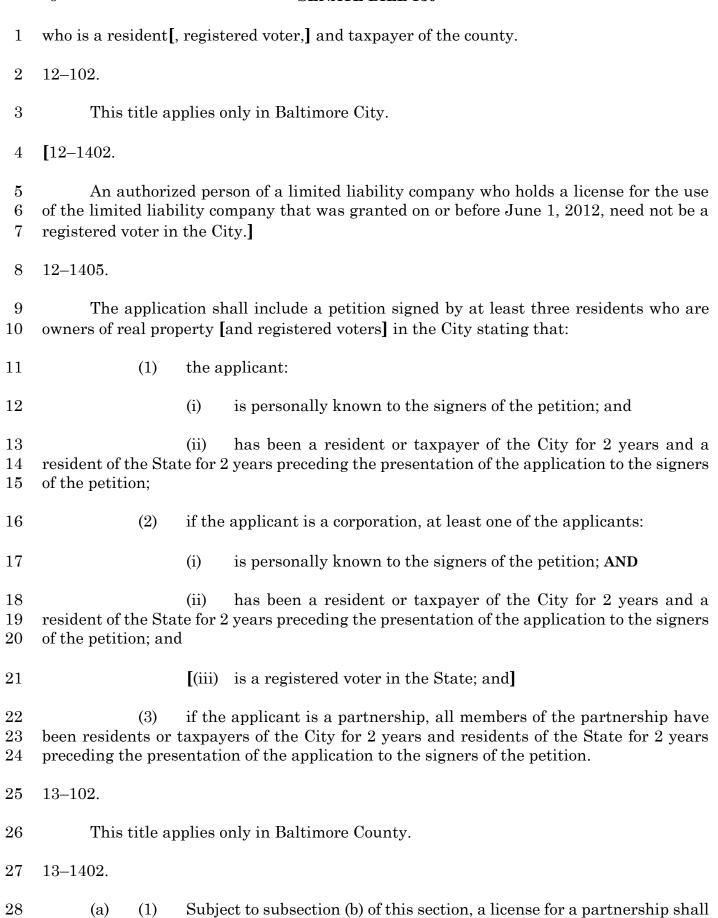
$\frac{1}{2}$	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:			
3			Article - Alcoholic Beverages	
4	2–407.			
5 6	(a) (1) the Comptroller a		opplicant for a Class E, Class F, or Class G license shall submit to cation in the form that the Comptroller provides.	
7 8	(c) (3) license, no applica		ree principal officers of an entity are applicants for a Class G d be a [registered voter,] taxpayer[,] or resident of the State.	
9 10	for a Class E or C	-	ot as provided in paragraph (5) of this subsection, if the application icense is made for the use of a limited liability company:	
11 12	authorized indivi	(i) duals fo	the license shall be applied for and issued to three of the or the company, as individuals; and	
13		(ii)	at least one of the applicants:	
14 15	when the applicat	cion is s	1. shall be a [registered voter and] taxpayer of the State submitted; and	
16 17	the application is	submit	2. shall have resided in the State for at least 2 years before ted.	
18 19 20	[(5) In Baltimore City, an authorized individual of a limited liability company who holds a license for the use of the limited liability company that was granted on or before June 1, 2012, need not be a registered voter in Baltimore City.]			
21	(d) (1)	An a	oplication shall contain:	
22		(i)	the name and address of the applicant;	
23		(ii)	the amount of time the applicant has resided in the State;	
$24 \\ 25$	sought;	(iii)	the name and address of the entity on whose behalf the license is	
26		(iv)	the class of license sought;	
27		(v)	a statement that the applicant:	
28 29	States;		1. [is a citizen of] HAS LAWFUL STATUS IN the United	





29 (2) (i) All of the authorized individuals shall apply for the license, if the 30 limited liability company has fewer than three authorized individuals.

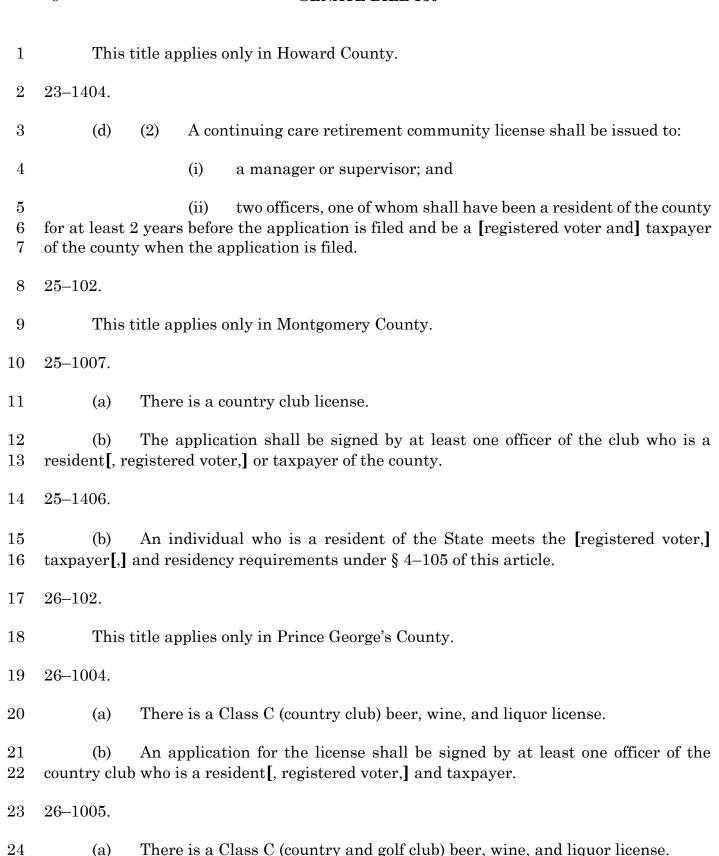
- 1 (ii) Three authorized individuals shall apply for the license, if the 2 limited liability company has three or more authorized individuals. 3 (3)At least one of the authorized individuals shall: have been a resident of the jurisdiction or municipality for at 4 least 2 years before the application is filed; and 5 6 be a [registered voter and] taxpayer of the jurisdiction or (ii) 7 municipality when the application is filed. 8 4-109.9 (a) A license application shall state: 10 (3)that at least one applicant [is a citizen of] HAS LAWFUL STATUS IN the **United States:** 11 9-102.1213 This title applies only in Allegany County. 9-1402.14 Only [a United States citizen] AN INDIVIDUAL WITH LAWFUL STATUS IN 15 16 THE UNITED STATES may have an interest of any kind in a business for which a license 17 is issued. 18 The Board may not issue a license to an individual who is not a resident of the 19 county. 20 11-102.21 This title applies only in Anne Arundel County. 2211-1002.23 There is a Class C (country and golf club) license. (a)
- 24An application for the license shall be signed by at least one officer of the 25 country and golf club who is a resident [, registered voter,] and taxpayer of the county.
- 26 11-1010.
- 27 There is a Class C (yacht club) license. (a)
- An application for the license shall be signed by at least one officer of the club 28(b)



- be applied for by and issued to at least two general partners as individuals. 1 2 (2)When an application is filed, at least one of the general partners who 3 applies shall: (i) reside in the State[; and 4 5 be a registered voter in the State. (ii) 6 20-102.7 This title applies only in Frederick County. 8 20-1404.9 (1) A license for the use of a partnership shall be applied for and issued to (a) 10 three individuals. 11 The three individuals are not required to be partners but shall be 12 authorized in writing to act for the partnership. 13 (3)One of the three individuals shall: 14 have been a resident of the county for at least 2 years before the 15 application is filed[; and 16 (ii) be a registered voter of the county before and at the time the 17 application is filed]. **(4)** 18 The names of each partner shall be stated on the application. 19 22-102.20 This title applies only in Harford County. 21 22-1402.22 To be issued a license for the applicant's individual use, the applicant 23shall be a resident of the county for at least 1 year before filing the application. 24 [(2)] (B) The license holder is required to remain a resident of the county for as long as the license is in effect. 25
- 26 **[**(b) An applicant under this section is not required to be a registered voter.] 27 23–102.

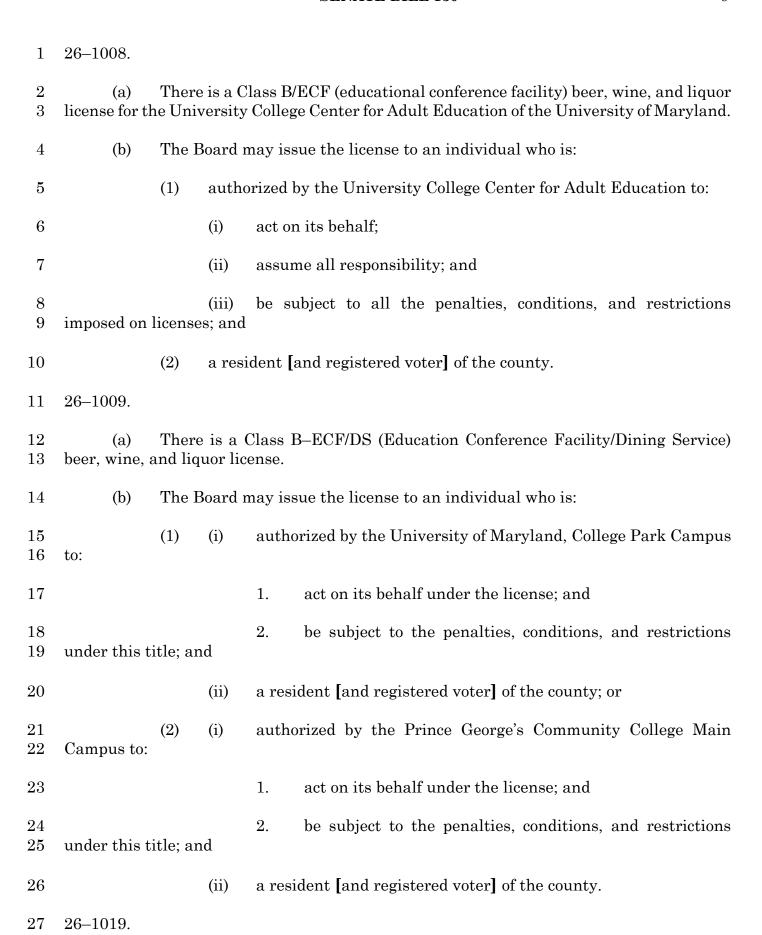
25

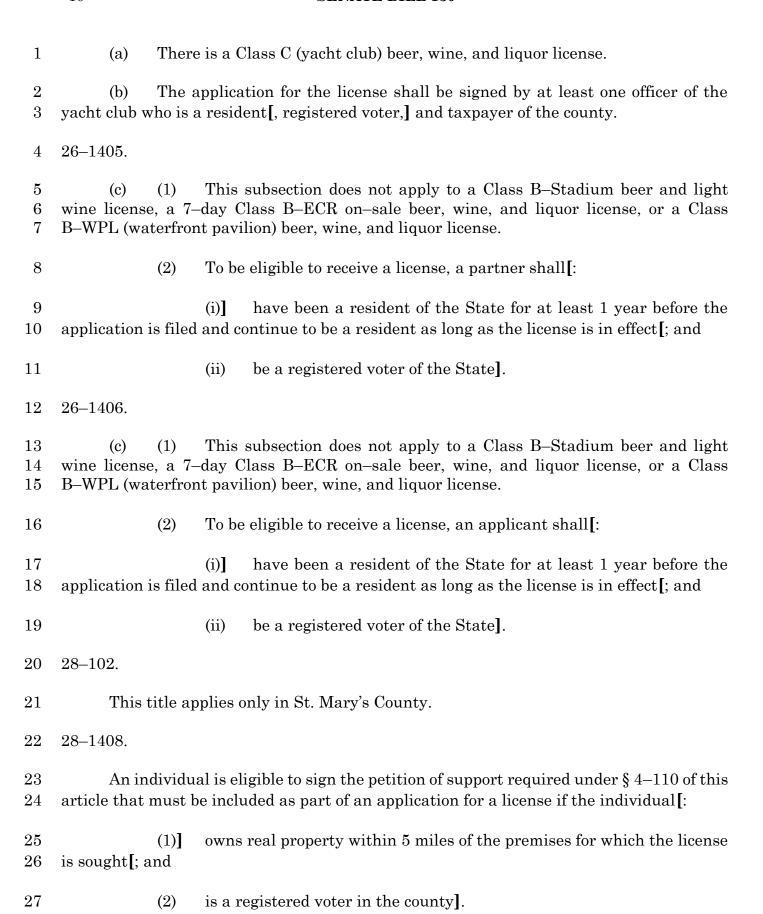
26

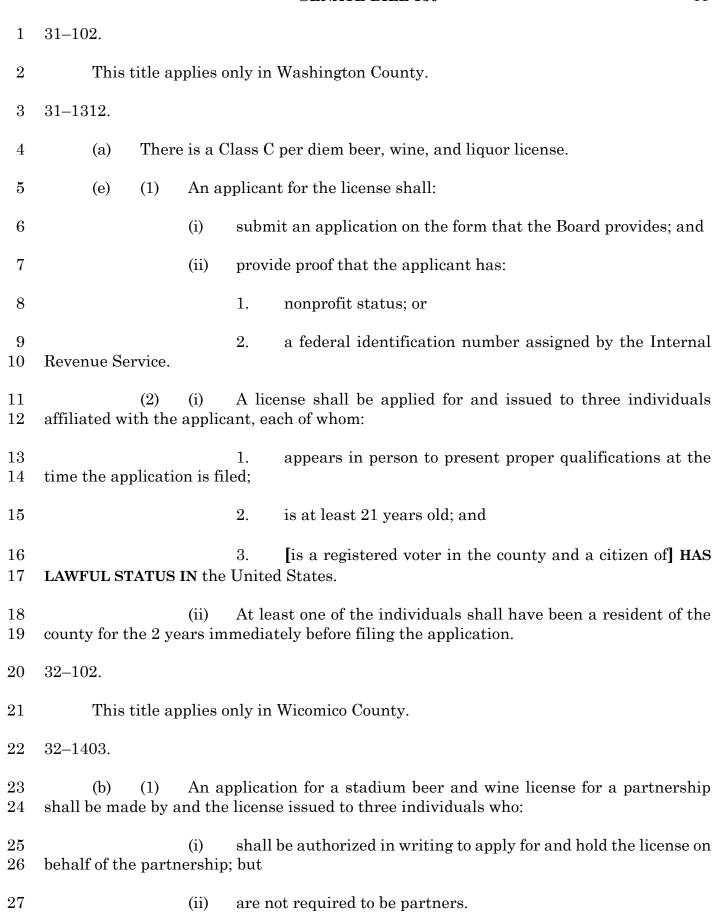


An application for the license shall be signed by at least one officer of the

country and golf club who is a resident [, registered voter,] and taxpayer of the county.







SENATE BILL 130

1	(2) One of the three individuals who applies for a license shall[:			
2	(i)] have been a resident of the county for at least 2 years before the application is filed[; and			
4 5	(ii) have been a registered voter of the county for at least 1 year immediately before the application is filed].			
6	(3) The name of each partner shall be stated on the application.			
7	32–1405.			
8 9 10	(a) Except as provided in subsection (b) of this section, the Board may not issue a license to a corporation or limited liability company unless the individual qualifying under this article:			
11 12				
13 14	• • • • • • • • • • • • • • • • • • • •			
15	(b) This section does not affect a license that has already been issued.			
16	33–102.			
17	This title applies only in Worcester County.			
18	33–1402.			
19	(a) This section does not apply to:			
20	(1) a license holder of a license issued before May 1, 1977; and			
21	(2) an applicant for a Class B beer, wine, and liquor license.			
22 23 24	(b) (1) Except as provided in subsection (b) of this section, a license on behalf of a corporation or limited liability company may be issued only if the following requirements are met.			
25	(2) At least one applicant shall:			
26 27	(i) be a [registered voter,] taxpayer[,] and resident of the county and			
28	(ii) own at least 10% of the total issued capital stock of the			

corporation or 10% interest in the limited liability company. 1 2 (3) Each applicant shall submit to the Board a sworn statement that 3 includes: the name and address of each stockholder of the 4 (i) 1. corporation; and 5 6 2. the number of voting shares owned by each stockholder; or 7 the name and address of each member of the limited (ii) 1. 8 liability company; and 9 2. the percentage share of voting interest owned by each member. 10 11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July

12

1, 2020.