

SENATE BILL 374

A2

0lr3259
CF 0lr0999

By: **Harford County Senators**

Introduced and read first time: January 27, 2020

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 6, 2020

CHAPTER _____

1 AN ACT concerning

2 **Harford County – Alcoholic Beverages – Operator License Holder –**
3 **Establishment Operations**

4 FOR the purpose of altering certain provisions relating to resident applicants of certain
5 licensed alcoholic beverages establishments in Harford County; requiring a license
6 holder who is an operator of a certain licensed establishment to have certain
7 ownership interests in certain entities; requiring the operator license holder to serve
8 as a manager or supervisor of the establishment and to be physically present on the
9 premises for a certain time; and generally relating to alcoholic beverages licenses
10 and operation in Harford County.

11 BY repealing and reenacting, without amendments,
12 Article – Alcoholic Beverages
13 Section 22–102
14 Annotated Code of Maryland
15 (2016 Volume and 2019 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Alcoholic Beverages
18 Section 22–1703
19 Annotated Code of Maryland
20 (2016 Volume and 2019 Supplement)

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

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 **Article – Alcoholic Beverages**

2 22–102.

3 This title applies only in Harford County.

4 22–1703.

5 (a) The Board shall transfer a license that is issued for use in a business if:

6 (1) the business is sold to a different owner; and

7 (2) the new owner qualifies as a license holder.

8 (b) (1) This subsection applies to the [resident applicant] **LICENSE HOLDER**
 9 **WHO IS AN OPERATOR** of a licensed establishment [for which a license was transferred
 10 after July 1, 1984,] on behalf of a corporation, an unincorporated entity, or a limited
 11 liability company.

12 (2) The **OPERATOR** [resident applicant] **LICENSE HOLDER**:

13 (i) 1. if the transferred license is a Class A beer and wine license
 14 or a Class A–1 or Class A–2 beer, wine, and liquor license, shall own at least 25% of the
 15 total corporation, unincorporated entity, or limited liability company; **OR**

16 2. ~~if the transferred license is any type of license other than~~
 17 ~~one specified in item 1 or 3 of this item, shall own at least 10% of the total business; or~~

18 ~~3.~~ for a Class C–1, Class C–2, or Class C–3 license, may own
 19 any amount or no amount of the total corporation, unincorporated entity, or limited liability
 20 company;

21 (ii) shall serve as manager or supervisor; and

22 (iii) shall be physically present on the premises a substantial amount
 23 of time on a daily basis.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
 25 1, 2020.