

Chapter 626

(Senate Bill 126)

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Entertainment Facilities

FOR the purpose of specifying the manner in which the holder of an entertainment facility license in Anne Arundel County may sell beer, wine, and liquor; altering the scope of certain entertainment that may be performed in the licensed premises; authorizing the Board of License Commissioners for Anne Arundel County to authorize the sale of alcoholic beverages in certain areas for a promotional event under certain conditions; authorizing the Board, notwithstanding a certain provision of law, to revoke a certain license after a finding that a certain activity has occurred; providing for the application of certain provisions of this Act; making this Act an emergency measure; and generally relating to alcoholic beverages licenses in Anne Arundel County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages
Section 4–605(a) and 11–102
Annotated Code of Maryland
(2016 Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages
Section 11–1005 and 11–2101
Annotated Code of Maryland
(2016 Volume and 2019 Supplement)

BY adding to

Article – Alcoholic Beverages
Section 11–2104
Annotated Code of Maryland
(2016 Volume and 2019 Supplement)

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

Article – Alcoholic Beverages4–605.

(a) (1) Except as provided in paragraph (2) of this subsection, a local licensing board shall revoke a license if, after a hearing under § 4–603(b) of this subtitle, an activity listed in this section is found to have occurred on the licensed premises.

(2) The license of a person may not be revoked under paragraph (1) of this subsection if:

(i) the person operates a theater, a concert hall, an art center, a museum, or a similar establishment that is primarily devoted to the arts or theatrical performances; and

(ii) the performances express matters of serious literary, artistic, scientific, or political value.

11-102.

This title applies only in Anne Arundel County.

11-1005.

(a) “Entertainment facility” means a facility that holds a license under Title 9, Subtitle 1A of the State Government Article.

(b) There is an entertainment facility license.

(c) (1) The Board may issue the license for the use of an entertainment facility that contains one or more food service facilities, bars, or lounges that are part of the operation of the entertainment facility.

(2) (i) The license shall be issued to an individual or entity that owns an entertainment facility and holds a license under Title 9, Subtitle 1A of the State Government Article.

(ii) An applicant for the license need not meet any location, voting, or residency requirements.

(d) (1) The license authorizes:

(i) the license holder to sell beer, wine, and liquor **BY THE GLASS OR BY THE BOTTLE** in any location of the entertainment facility that is not covered by an entertainment concessionaire license for consumption anywhere in the entertainment facility; and

(ii) **SUBJECT TO § 4-605 OF THIS ARTICLE**, the playing of music [and], dancing, **PLAYS, LIVE PERFORMANCES, COMEDY SHOWS, AND OTHER ARTISTIC SHOWS** in the licensed premises.

(2) **BY ADMINISTRATIVE ACTION, THE BOARD MAY ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR A PROMOTIONAL EVENT IN AN AREA ADJACENT TO THE ENTERTAINMENT FACILITY THAT:**

(I) **IS CONTROLLED BY THE LICENSE HOLDER;**

(II) **HAS CONTROLLED ACCESS; AND**

(III) **IS A PARKING LOT, PICNIC GROUND, BUILDING, OR TERRACE.**

(3) Beer, wine, and liquor purchased under the license may be taken and consumed anywhere in an entertainment facility.

(e) (1) The hours for the sale and consumption of alcoholic beverages under the license are the same as the hours of operation for a video lottery facility established under § 9-1A-23 of the State Government Article.

(2) A holder of the license need not obtain a Sunday permit under § 11-2004 of this title to sell alcoholic beverages after 2 a.m. on Sunday.

(f) The license may not be counted as a Class B or Class H license for purposes of § 11-1609 of this title.

(g) (1) The annual fee for the license is \$15,000.

(2) The fee shall be paid on or before May 1 to the Board.

11-2101.

(a) The following sections of Title 4, Subtitle 6 (“Revocation and Suspension of Local Licenses”) of Division I of this article apply in the county without exception or variation:

(1) § 4-602 (“Power of local licensing board”);

(2) § 4-604 (“Grounds for revocation or suspension”); AND

(3) [§ 4-605 (“Nudity and sexual displays”); and

(4)] § 4-606 (“Effects of revocation”).

(b) [Section] THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 6 (“REVOCATION AND SUSPENSION OF LOCAL LICENSES”) OF DIVISION I OF THIS ARTICLE APPLY IN THE COUNTY:

(1) § 4-603 (“Revocation and suspension procedures”) [of Division I of this article applies in the county], subject to §§ 11-2102 and 11-2103 of this subtitle; AND

(2) § 4-605 (“NUDITY AND SEXUAL DISPLAYS”), SUBJECT TO § 11-2104 OF THIS SUBTITLE.

11-2104.

(A) THIS SECTION APPLIES ONLY TO AN ENTERTAINMENT FACILITY LICENSE ISSUED UNDER § 11-1005 OF THIS TITLE.

(B) NOTWITHSTANDING THE MANDATORY REVOCATION REQUIREMENT FOR LOCAL LICENSING BOARDS UNDER § 4-605(A) OF THIS ARTICLE, AFTER A FINDING THAT AN ACTIVITY LISTED IN § 4-605 OF THIS ARTICLE HAS OCCURRED, THE BOARD MAY REVOKE THE LICENSE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 8, 2020.