

SB0426/384032/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 426

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “license;” insert “authorizing the Board of License Commissioners for Baltimore City to issue a Class B beer, wine, and liquor license in a certain area if a memorandum of understanding has been executed with Brewer's Hill Neighbors, Inc.;”; in the same line, strike “of License Commissioners for Baltimore City”; in line 7, after “Inc.,” insert “making conforming changes; repealing the termination of certain provisions providing certain exceptions from prohibitions against certain transactions involving a certain distillery and a certain retail dealer;”; in line 12, after “12-102” insert “, 12-404,”; in line 17, after “12-1604” insert “and 12-1605(a)”; after line 19 insert:

“BY repealing and reenacting, with amendments,

Chapter 676 of the Acts of the General Assembly of 2019

Section 4

BY repealing and reenacting, with amendments,

Chapter 677 of the Acts of the General Assembly of 2019

Section 4”;

and after line 24, insert:

“12-404.

(a) Section 2-216(b) and (d) of this article does not apply to a holder of a Class 3 winery license or Class 4 limited winery license who is issued a Class A2 light wine on-sale and off-sale license with respect to the wine manufactured or bottled on the winery premises.

(b) (1) This subsection applies only to a Class 1 distillery and a retail dealer located on contiguous premises in the area commonly known as Port Covington.

(Over)

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(2) The Class 1 distillery:

(i) may lend a thing of value, make a gift, or offer a gratuity to the retail dealer; but

(ii) may not lend money to the retail dealer.

(3) The retail dealer:

(i) may accept, receive, or make use of a gift or an advertisement provided by the Class 1 distillery; but

(ii) may not become indebted to the distillery except for the purchase of alcoholic beverages and allied products purchased for resale.

(4) Section 2-216(d) of this article regarding advertisements does not apply to the Class 1 distillery and the licensed retailer.”.

AMENDMENT NO. 2

On page 4, in line 9, strike “and” and substitute “[and]”; and in line 17, after “restaurant” insert “;AND

(VI) FOR A RESTAURANT IN UNIT G OF 3700 TOONE STREET IN WARD 26, PRECINCT 8, IF THE RESTAURANT HAS:

1. SEATING FOR AT LEAST 75 INDIVIDUALS;

2. A MINIMUM CAPITAL INVESTMENT OF \$700,000;

3. AVERAGE DAILY RECEIPTS FOR THE SALE OF FOOD THAT ARE AT LEAST 65% OF THE TOTAL DAILY RECEIPTS OF THE RESTAURANT;
AND

4. HAS EXECUTED A MEMORANDUM OF UNDERSTANDING WITH BREWER'S HILL NEIGHBORS, INC".

On page 6, after line 28, insert:

"12-1605.

(a) (1) (i) Except as otherwise provided in this subsection, a new license may not be issued for and an existing license may not be moved to a building that is within 300 feet of the nearest point of the building of a place of worship or school.

(ii) In the 45th legislative district, a new Class A license of any type may not be issued for a building that is within 500 feet of the nearest point of the building of a place of worship or school.

(2) Paragraph (1)(i) of this subsection does not apply to:

(i) a Class B beer and wine license outside the 46th legislative district;

(ii) a Class B beer, wine, and liquor license outside the 46th legislative district;

(iii) a Class B-D-7 license in the Old Goucher Revitalization District under § 12-1603(e) of this subtitle;

(iv) a Class C beer and wine license; and

(v) a Class C beer, wine, and liquor license.

(3) A license for use in a building that is within 300 feet of the grounds of a place of worship or school may be renewed or extended for the same building.

(Over)

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(4) (i) This paragraph applies only to an area bounded by:

1. High Street on the west, Pratt Street on the north, Central Avenue on the east, and Eastern Avenue on the south;

2. West Cross Street and Amity Street on the west, Clifford Street on the north, Scott Street on the east, and Carroll Street on the south;
OR

3. Holliday Street on the west, Saratoga Street on the north, Gay Street on the east, and Lexington Street on the south]; or

4. subject to subparagraph (iii) of this paragraph, Fagley Street on the west, Gough Street on the north, Grundy Street on the east, and Chestle Place on the south].

(ii) The Board may waive the distance restrictions in paragraph (1)(i) of this subsection for an application for the transfer of a license into an area specified in subparagraph (i) of this paragraph if:

1. the application is approved by:

A. each community association representing the area;

B. each business association in the area; and

C. the ordained leader and the board or council for each place of worship that is within 300 feet of the proposed location of the establishment for which the license transfer is sought; and

2. a memorandum of understanding is executed by the applicant for the license transfer and each community association in the area.

[(iii) The Board may not issue a license in or approve the transfer of a license into the area specified in subparagraph (i)4 of this paragraph if:

1. the proposed location of the establishment is in an area that is zoned “residential”; or

2. the license to be issued or transferred is a Class A license of any type.]

Chapter 676 of the Acts of 2019

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2019. [Section 3 of this Act shall remain effective for a period of 3 years and, at the end of June 30, 2022, Section 3 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.]

Chapter 677 of the Acts of 2019

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2019. [Section 3 of this Act shall remain effective for a period of 3 years and, at the end of June 30, 2022, Section 3 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.]”.