

# HOUSE BILL 430

A2

11r0640

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By: **Montgomery County Delegation**

Introduced and read first time: January 15, 2021

Assigned to: Economic Matters

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Committee Report: Favorable

House action: Adopted

Read second time: March 4, 2021

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

1 AN ACT concerning

2 **Montgomery County – Alcoholic Beverages – Seating Requirements**

3 **MC 11–21**

4 FOR the purpose of repealing certain seating capacity requirements for a BWL Community  
5 Performing Arts Facility license for alcoholic beverages in Montgomery County; and  
6 generally relating to alcoholic beverages licenses in Montgomery County.

7 BY repealing and reenacting, without amendments,

8 Article – Alcoholic Beverages

9 Section 25–102

10 Annotated Code of Maryland

11 (2016 Volume and 2020 Supplement)

12 BY repealing and reenacting, with amendments,

13 Article – Alcoholic Beverages

14 Section 25–1004

15 Annotated Code of Maryland

16 (2016 Volume and 2020 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

18 That the Laws of Maryland read as follows:

19 **Article – Alcoholic Beverages**

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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 25–102.

2 This title applies only in Montgomery County.

3 25–1004.

4 (a) There is a BWL Community Performing Arts Facility license.

5 (b) (1) The Board may issue the license for use by a nonprofit partnership,  
6 limited liability company, corporation, or other entity that owns or leases a performing arts  
7 facility that[:

8 (i) is used for art classes, banquets, community–related activities,  
9 exhibits, live performances, shows, theater productions, visual art shows, and weddings[;  
10 and

11 (ii) has:

12 1. a minimum capacity of 200 individuals; and

13 2. a maximum capacity of 1,499 individuals].

14 (2) The Board may not issue more than three licenses to a nonprofit  
15 partnership, limited liability company, corporation, or other entity that owns or leases  
16 performing arts facilities in separate locations.

17 (c) (1) The license authorizes the license holder to sell beer, wine, and liquor  
18 by the drink from one or more outlets on the licensed premises for on–premises  
19 consumption.

20 (2) The Board may impose conditions on the issuance or renewal of the  
21 license that establish the areas in the community performing arts facility where beer, wine,  
22 and liquor may be sold, served, possessed, or consumed.

23 (3) The license holder shall ensure that food is provided during the hours  
24 beer, wine, and liquor are sold, served, possessed, or consumed.

25 (d) (1) The holder of a Class B–BWLHR license with catering authority, a local  
26 caterer’s license, or a State caterer’s license may bring alcoholic beverages and food on the  
27 licensed premises under the terms of a contract with a holder of a BWL Community  
28 Performing Arts Facility license.

29 (2) A violation of this title that occurs when a caterer brings alcoholic  
30 beverages on licensed premises as provided under paragraph (1) of this subsection is the  
31 responsibility of the caterer and is not the responsibility of the license holder.

32 (e) The license holder may sell beer, wine, and liquor from 9 a.m. on any day of

1 the week to 2 a.m. the following day.

2 (f) The license may not be transferred to another location.

3 (g) The annual license fee is \$750.

4 (h) (1) There is a Community Performing Arts Facility special event permit.

5 (2) The Board may issue the permit only to the holder of a BWL  
6 Community Performing Arts Facility license.

7 (3) A holder of the permit may sell beer, wine, or liquor for consumption on  
8 the premises of the special event.

9 (4) A holder of the permit shall notify the Board in writing on a form  
10 provided by the Board at least 14 days before each event.

11 (5) A holder of the permit may hold an unlimited number of events in a  
12 year.

13 (6) The annual permit fee is \$200.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
15 1, 2021.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.