

Chapter 764

(House Bill 1116)

AN ACT concerning

Charles County – Alcoholic Beverages – Abeyance of License

FOR the purpose of authorizing the Board of License Commissioners of Charles County to hold a certain license in abeyance until the earlier of the date the Board issues the license to a new license holder or for a certain period of time; providing that a certain license is considered extinguished under certain circumstances; and generally relating to alcoholic beverages licenses in Charles County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 18–102
Annotated Code of Maryland
(2016 Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 18–1601 and 18–2101
Annotated Code of Maryland
(2016 Volume and 2021 Supplement)

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

Article – Alcoholic Beverages

18–102.

This title applies only in Charles County.

18–1601.

(a) (1) (i) Except as provided in subparagraph (ii) of this paragraph, the Board may not issue more than one of any license with an off–sale privilege for every 1,350 residents in an election district in the county, as determined by the latest federal census.

(ii) In the sixth election district, the Board may not issue more than one of any license with an off–sale privilege for every 2,700 residents in the election district, as determined by the latest federal census.

(2) The Board may not approve the transfer of a license issued under paragraph (1) of this subsection from one election district to another.

(3) The Board may not issue a new license in an election district unless the issue may be made without exceeding the quotas provided for in paragraph (1) of this subsection.

(b) (1) This section does not require the forfeiture or revocation of a license in effect on October 1, 1992.

(2) In an election district in which a quota established in subsection (a)(1) of this section was exceeded as of October 1, 1992, the total number of licenses may be reduced only:

(i) by the voluntary relinquishment of a license by the license holder;

(ii) by the bankruptcy of the license holder; or

(iii) in accordance with another provision of this article.

(C) (1) NOTWITHSTANDING THE LICENSE QUOTA LIMITATIONS ESTABLISHED IN SUBSECTION (A) OF THIS SECTION, WHEN A LICENSE IS RELINQUISHED BY A LICENSE HOLDER OR REVOKED BY THE BOARD, THE BOARD MAY HOLD THE LICENSE IN ABEYANCE UNTIL THE EARLIER OF:

(I) THE DATE THE BOARD ISSUES THE LICENSE TO A NEW LICENSE HOLDER; OR

(II) 1 YEAR.

(2) IF THE BOARD DOES NOT ISSUE THE LICENSE TO A NEW LICENSE HOLDER WITHIN 1 YEAR AFTER THE DATE THE LICENSE IS RELINQUISHED OR REVOKED THE LICENSE SHALL BE CONSIDERED EXTINGUISHED.

18-2101.

(A) THE FOLLOWING SECTIONS OF Title 4, Subtitle 6 (“Revocation and Suspension of Local Licenses”) of Division I of this article applies in the county without exception or variation:

(1) § 4-602 (“POWER OF LOCAL LICENSING BOARD”);

(2) § 4-603 (“REVOCATION AND SUSPENSION PROCEDURES”);

(3) § 4-604 (“GROUNDS FOR REVOCATION OR SUSPENSION”); AND

(4) § 4-605 (“NUDITY AND SEXUAL DISPLAYS”).

(B) § 4-606 (“EFFECTS OF REVOCATION”) OF DIVISION I OF THIS ARTICLE APPLIES IN THE COUNTY, SUBJECT TO § 18-1601(C) OF THIS TITLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 29, 2022.