

HB0460/713823/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 460
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “Election District 15” and substitute “an eligible transferor district”; and in lines 6 and 7, strike “Election District 15” and substitute “an eligible transferor district; requiring the Board to notify the county when the Board receives an application to transfer a certain license; requiring an application to transfer a certain license to contain certain information; requiring the Board to deny a certain transfer under certain circumstances, subject to a certain exception; authorizing the Board to deny a certain transfer under certain circumstances, subject to a certain exception”.

AMENDMENT NO. 2

On page 2, after line 1, insert:

“(A) IN THIS SECTION, “ELIGIBLE TRANSFEROR DISTRICT” MEANS AN ELECTION DISTRICT IN WHICH THE TOTAL NUMBER OF CLASS B AND CLASS D LICENSES, EXCLUDING EXCEPTION LICENSES, IS 15% OR GREATER THAN THE TOTAL NUMBER OF CLASS B AND CLASS D LICENSES THAN ARE ALLOWED IN AN ELECTION DISTRICT BASED ON THE RULE OF THE BOARD THAT LIMITS THE TOTAL NUMBER OF LICENSES AVAILABLE IN AN ELECTION DISTRICT BY POPULATION.”;

in line 2, strike “(a)” and substitute “**(B)**”; in the same line, strike “paragraph (2)” and substitute “**PARAGRAPHS (2) AND (3)**”; in line 3, strike “Election District 15” and substitute “**AN ELIGIBLE TRANSFEROR DISTRICT**”; in line 7, strike “on the date of the approval” and substitute “**PRIOR TO THE TRANSFER**”; in lines 13 and 14, strike “out of

Election District 15” and substitute “IN TOTAL UNDER THIS SECTION”; and after line 17, insert:

“(3) (I) WHEN THE BOARD RECEIVES AN APPLICATION TO TRANSFER A LICENSE UNDER THIS SECTION, THE BOARD SHALL NOTIFY THE COUNTY DEPARTMENT OF WORKFORCE AND ECONOMIC DEVELOPMENT.

(II) 1. THIS SUBPARAGRAPH APPLIES WHEN THE LICENSE HOLDER OWNS THE PROPERTY FROM WHICH THE LICENSE IS TO BE TRANSFERRED.

2. THE APPLICATION TO TRANSFER A LICENSE SHALL INCLUDE INFORMATION ON THE STATUS OF THE REAL PROPERTY ASSOCIATED WITH THE LICENSE TO BE TRANSFERRED AND ANY PLANS FOR DISPOSITION AND FUTURE USE OF THE PROPERTY AFTER THE TRANSFER OF THE LICENSE.

3. EXCEPT AS PROVIDED IN SUBPARAGRAPH (IV) OF THIS PARAGRAPH, THE BOARD SHALL DENY A TRANSFER UNDER THIS SECTION IF IT DETERMINES, BASED ON AN ASSESSMENT PROVIDED BY THE COUNTY DEPARTMENT OF WORKFORCE AND ECONOMIC DEVELOPMENT, THAT:

A. THE APPLICANT HAS NOT DEMONSTRATED THAT THERE IS AN APPROPRIATE FUTURE USE OF THE PROPERTY FROM WHICH THE LICENSE IS TO BE TRANSFERRED AFTER THE TRANSFER; OR

B. THE TRANSFER WILL RESULT IN SIGNIFICANT NEGATIVE ECONOMIC IMPACT TO THE COMMUNITY THAT SURROUNDS THE PROPERTY FROM WHICH THE LICENSE IS TO BE TRANSFERRED.

(III) 1. THIS SUBPARAGRAPH APPLIES WHEN THE LICENSE HOLDER HAS NO OWNERSHIP IN THE PROPERTY FROM WHICH THE LICENSE IS TO BE TRANSFERRED.

2. THE COUNTY DEPARTMENT OF WORKFORCE AND ECONOMIC DEVELOPMENT MAY SUBMIT A LETTER TO THE BOARD REGARDING THE ECONOMIC IMPACT THE TRANSFER OF THE LICENSE WILL HAVE ON THE COMMUNITY THAT SURROUNDS THE PROPERTY FROM WHICH THE LICENSE IS TO BE TRANSFERRED.

3. THE BOARD MAY DENY A TRANSFER UNDER THIS SECTION BASED ON THE LETTER RECEIVED IN ACCORDANCE WITH SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, UNLESS THE BOARD FINDS THAT THE APPLICANT HAS UNDERTAKEN A GOOD FAITH EFFORT TO FACILITATE A FUTURE USE OF THE PROPERTY BY ADVISING THE PROPERTY OWNER OF THE INTENTION TO TRANSFER THE LICENSE TO ANOTHER LOCATION.

4. THE APPLICANT MAY SUBMIT INFORMATION TO THE BOARD IN SUPPORT OF THE TRANSFER OF THE LICENSE.

(IV) THE BOARD MAY WAIVE THE REQUIREMENT UNDER SUBPARAGRAPH (II)3 OF THIS PARAGRAPH IF, WITH THE CONCURRENCE OF THE COUNTY DEPARTMENT OF WORKFORCE AND ECONOMIC DEVELOPMENT, THE BOARD FINDS THAT THE LICENSE HOLDER HAS UNDERTAKEN GOOD FAITH EFFORTS TO FACILITATE A FUTURE USE OF THE PROPERTY AND MITIGATE ANY NEGATIVE ECONOMIC IMPACTS TO THE SURROUNDING COMMUNITY.”.

On page 3, in line 31, strike “(B)” and substitute “(C)”.

(Over)

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On page 4, in lines 28 and 30, in each instance, strike the brackets; in the same lines, strike “**(C)**” and “**(D)**”, respectively; in line 30, strike “Election District 15” and substitute “**AN ELIGIBLE TRANSFEROR DISTRICT**”; and in lines 31 and 32, strike “Election District 15” and substitute “**THE ELIGIBLE TRANSFEROR DISTRICT FROM WHICH IT WAS TRANSFERRED**”.

On page 5, in line 5, strike the brackets; in the same line, strike “**(E)**”; and in lines 6 and 7, strike “Election District 15” and substitute “**AN ELIGIBLE TRANSFEROR DISTRICT**”.