

**HB0840/623123/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 840  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike lines 2 and 3 in their entirety and substitute “**Howard County Alcoholic Beverages Act of 2022**”; in line 13, after “event;” insert “requiring the Board of License Commissioners for Howard County and the Appointed Alcoholic Beverage Hearing Board in Howard County to give particular consideration to a certain factor when deciding whether to approve an application and issue a license; requiring the Hearing Board to include a certain factor in its written decision findings when determining whether to issue a new Class A license;”; strike beginning with the second “a” in line 13 down through “permit” in line 14 and substitute “alcoholic beverages licenses”; in line 17, after “23–102” insert “and 23–209(a)”; in line 22, after “23–1006.1” insert “and 23–1509”; and after line 24, insert:

“BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 23–1501 and 23–1503

Annotated Code of Maryland

(2016 Volume and 2021 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 3 insert:

“23–209.

(a) The Board of License Commissioners or the Hearing Board may issue licenses.”

On page 3, after line 29, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

**Article – Alcoholic Beverages**

23–1501.

(a) The following sections of Title 4, Subtitle 2 (“Issuance or Denial of Local Licenses”) of Division I of this article apply in the county without exception or variation:

(1) § 4–205 (“Chain store, supermarket, or discount house”);

(2) § 4–206 (“Limitations on retail sales floor space”);

(3) § 4–207 (“Licenses issued to minors”);

(4) § 4–209 (“Hearing”);

(5) [§ 4–210 (“Approval or denial of license application”);

(6)] § 4–211 (“License forms; effective date; expiration”); and

[(7)] (6) § 4–213 (“Replacement licenses”).

(b) Section 4–214 (“Waiting periods after denial of license applications”) of Division I of this article does not apply in the county and is superseded by § 23–1507 of this subtitle.

(c) The following sections of Title 4, Subtitle 2 (“Issuance or Denial of Local Licenses”) of Division I of this article apply in the county:

**HB0840/623123/01 Economic Matters Committee**  
**Amendments to HB 840**  
**Page 3 of 4**

(1) § 4-202 (“Authority of local licensing boards”), subject to § 23-1502 of this subtitle;

(2) § 4-203 (“Prohibition against issuing multiple licenses to individual or for use of entity”), subject to § 23-1504 of this subtitle;

(3) § 4-204 (“Prohibition against issuing multiple licenses for same premises”), subject to Subtitle 13, Part III and Subtitle 16, Part II of this title;

(4) § 4-208 (“Notice of license application required”), subject to § 23-1505 of this subtitle; [and]

**(5) § 4-210 (“APPROVAL OR DENIAL OF LICENSE APPLICATION”), SUBJECT TO § 23-1509 OF THIS SUBTITLE; AND**

**[(5)] (6) § 4-212 (“License not property”), in addition to § 23-1506 of this subtitle.**

23-1503.

In determining whether to approve an application for any new Class A license, the Hearing Board shall include in its written decision findings as to:

**(1) each of the factors set forth under § 4-210(a) of this article; AND**

**(2) THE CONSIDERATION OF THE AVOIDANCE OF THE OVERCONCENTRATION OF LICENSES IN NEIGHBORHOODS, PARTICULARLY NEIGHBORHOODS OF POVERTY, AS REQUIRED UNDER § 23-1509 OF THIS SUBTITLE.**

**23-1509.**

(Over)

**BEFORE THE BOARD OR THE HEARING BOARD ISSUES A LICENSE, THE BOARD OR THE HEARING BOARD SHALL GIVE PARTICULAR CONSIDERATION TO THE AVOIDANCE OF THE OVERCONCENTRATION OF LICENSES IN NEIGHBORHOODS, PARTICULARLY NEIGHBORHOODS OF POVERTY.**

SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any issuance or renewal of a license before the effective date of this Act.”;

and in line 30, strike “2.” and substitute “4.”.