

HB1115/973024/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1115
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; in line 2, strike “- **46th District**”; in the same line, strike “**Licenses**” and substitute “- **Licenses and Outdoor Table Service Privileges**”; in line 3, after “sale” insert “, certain square footage requirements,”; in line 5, after “Board” insert “of License Commissioners for Baltimore City”; in line 6, strike “number of years” and substitute “amount of time”; in line 7, strike “date of a” and substitute “dates of”; in the same line, strike “Class B beer and wine license” and substitute “licenses”; in the same line, strike “a” and substitute “certain”; in line 8, strike “a”; in the same line, strike “area” and substitute “areas”; in the same line, after the semicolon insert “prohibiting the Board from charging a holder of an alcoholic beverages license a certain fee if the holder holds a Temporary Outdoor Seating Permit issued by the Mayor and City Council of Baltimore City; authorizing the Board to grant certain ancillary license privileges to a holder of an alcoholic beverages license and to alter certain notice requirements under certain circumstances,”; in the same line, strike “licenses”; and in line 17, strike “12-1002.1(g)” and substitute “12-1002.1(d), (g).”.

AMENDMENT NO. 2

On page 2, after line 2, insert:

“(d) (1) The license authorizes the license holder to sell, for on- or off-premises consumption:

(i) beer;

(ii) wine; and

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(iii) liquor, when served as an ingredient in mixed drinks that may be purchased for at least \$5 each.

(2) (i) Subject to subparagraph (ii) of this paragraph and subsection (e)(6) of this section, the license holder may designate vendors within the public market to sell alcoholic beverages that are allowed under paragraph (1) of this subsection in leasable market space covering not more than [20%] 25% of the total square footage of floor space of the licensed premises.

(ii) Except as provided in subsection (e)(3) of this section, an individual vendor may sell alcoholic beverages in an area covering not more than 1,000 square feet of floor space.

(3) (i) The license holder shall submit to the Board the same information about each vendor that the Board requires of an applicant for a license.

(ii) The Board shall apply to the Central Repository for a State and national criminal history records check for each vendor authorized to sell alcoholic beverages.

(iii) A vendor authorized to sell alcoholic beverages or an individual who is designated by the vendor and employed in a supervisory capacity is required to be:

1. certified by an approved alcohol awareness program;
and

2. present when alcoholic beverages are consumed.

(4) (i) Subject to subparagraph (ii) of this paragraph, monthly receipts from the sale of nonalcoholic beverage items shall be at least 65% of the total monthly receipts of the market.

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(ii) The only nonalcoholic beverage items that may be counted in the calculation required under subparagraph (i) of this paragraph are items sold in the public market that are not provided as part of an off-premises catering service.”.

AMENDMENT NO. 3

On page 4, strike in their entirety lines 21 and 22 and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That a Class B–D–7 license issued for a premises in the 1171–1173 block of Hamburg Street shall be considered unexpired until the end of July 1, 2023, for the purposes of being transferred to another owner at the same location, notwithstanding § 12-1705 of the Alcoholic Beverages Article.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) Except as provided in subsection (b)(3) of this section, the Board of License Commissioners for Baltimore City may not charge a fee to a holder of an alcoholic beverages license issued by the Board if:

(1) the holder of the alcoholic beverages license also holds an unexpired Temporary Outdoor Seating Permit issued by the Mayor and City Council of Baltimore City; and

(2) the fee is imposed for the ancillary privilege of providing outdoor table or cafe service in conjunction with the Temporary Outdoor Seating Permit.

(b) (1) On application, the Board of License Commissioners for Baltimore City may consider the request of a holder of an alcoholic beverages license who also holds an unexpired Temporary Outdoor Seating Permit issued by the Mayor and City Council of Baltimore City to permanently add to the holder’s license the ancillary privilege of providing outdoor table or cafe service.

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(2) The Board may:

(i) satisfy the notice requirement under § 12-1506(a) of the Alcoholic Beverages Article by publishing the entire list of applications received under paragraph (1) of this subsection as a single consolidated list in two newspapers of general circulation in Baltimore City; and

(ii) waive the requirement under § 12-1506(b) of the Alcoholic Beverages Article to post a notice at the location described in the application.

(3) If, in accordance with this subsection, the Board adds to a license holder's license the ancillary privilege of providing outdoor table or cafe service, the fee prohibition under subsection (a) of this section does not apply.

(4) The Board shall adopt regulations to carry out the provisions of this subsection.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted. Section 2 of this Act shall remain effective through June 30, 2023, and, at the end of June 30, 2023, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.