

HOUSE BILL 242

A2

2lr0431

By: **Montgomery County Delegation**

Introduced and read first time: January 13, 2022

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 9, 2022

CHAPTER _____

1 AN ACT concerning

2 **Montgomery County – Alcoholic Beverages – Consumption Only Marketplace**
3 **Licenses**

4 **MC 06–22**

5 FOR the purpose of authorizing the Montgomery County Board of License Commissioners
6 to issue a consumption only marketplace license to the management company of a
7 commercial shopping center; requiring that the designated outdoor area identified
8 in a consumption only marketplace license application be within a certain distance
9 of, rather than contiguous to, the commercial shopping center; and generally relating
10 to consumption only marketplace licenses in Montgomery County.

11 BY repealing and reenacting, without amendments,
12 Article – Alcoholic Beverages
13 Section 25–102
14 Annotated Code of Maryland
15 (2016 Volume and 2021 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Alcoholic Beverages
18 Section 25–1004.1
19 Annotated Code of Maryland
20 (2016 Volume and 2021 Supplement)

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

3 **Article – Alcoholic Beverages**

4 25–102.

5 This title applies only in Montgomery County.

6 25–1004.1.

7 (a) In this section, “shopping center” means any combination of privately owned
8 commercial, professional, or retail establishments to which the general public is invited for
9 business purposes.

10 (b) There is a consumption only marketplace license.

11 (c) The Board may issue a consumption only marketplace license to the developer
12 **OR THE MANAGEMENT COMPANY** of a commercial shopping center if the commercial
13 shopping center:

14 (1) encompasses an area of at least 10 acres;

15 (2) includes at least one establishment for which a Class B license, Class
16 BD–BWL license, Class D–BWL license, or Class H license has been issued; and

17 (3) contains a designated outdoor area for the consumption of alcoholic
18 beverages.

19 (d) The license authorizes the license holder to allow the consumption of beer,
20 wine, and liquor in a designated outdoor area located within the commercial shopping
21 center if the beer, wine, or liquor is purchased at an establishment:

22 (1) that is located within the commercial shopping center;

23 (2) for which a Class B license, Class BD–BWL license, or Class H license
24 has been issued;

25 (3) is [contiguous to] **WITHIN 1,000 FEET OF** the designated outdoor area;
26 and

27 (4) that uses containers branded with an identifying mark of the seller.

28 (e) As part of the license application, a developer shall include:

1 (1) a description of the designated outdoor area and a list of the
2 [contiguous] license holders whose beer, wine, and liquor may be consumed in the
3 designated outdoor area; and

4 (2) a security plan that has been approved by the Montgomery County
5 Department of Police.

6 (f) The license holder may allow the consumption of beer, wine, and liquor in the
7 designated outdoor area on Monday through Sunday, from 11 a.m. to 11 p.m.

8 (g) The annual license fee is \$4,000.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
10 1, 2022.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.