

HOUSE BILL 242

A2

2lr0431

By: **Montgomery County Delegation**

Introduced and read first time: January 13, 2022

Assigned to: Economic Matters

A BILL ENTITLED

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)

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

23 **Article – Alcoholic Beverages**

24 25–102.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 This title applies only in Montgomery County.

2 25–1004.1.

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

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

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

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

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

13 (3) contains a designated outdoor area for the consumption of alcoholic
14 beverages.

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

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

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

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

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

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

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

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

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

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

2 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
3 1, 2022.