

HOUSE BILL 840

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2lr1413
CF 2lr0916

By: **Howard County Delegation**

Introduced and read first time: February 7, 2022

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Howard County – Alcoholic Beverages – Consumption Only Shopping Mall Plaza**
3 **License and Special Event Permit**

4 **Ho. Co. 13–22**

5 FOR the purpose of authorizing the Board of License Commissioners for Howard County to
6 issue a consumption only shopping mall plaza license and special event permit to the
7 owner of a commercial shopping mall if the mall meets certain criteria; authorizing
8 the license holder to allow the consumption of beer, wine, and liquor in a designated
9 outdoor area if the beer, wine, or liquor is purchased from certain restaurants;
10 establishing a shopping mall plaza special event permit; providing that the permit
11 authorizes certain restaurants to operate additional bars or service counters for the
12 sale and service of food and alcoholic beverages in a designated outdoor plaza during
13 a special event; and generally relating to a consumption only shopping mall plaza
14 license and special event permit in Howard County.

15 BY repealing and reenacting, without amendments,
16 Article – Alcoholic Beverages
17 Section 23–102
18 Annotated Code of Maryland
19 (2016 Volume and 2021 Supplement)

20 BY adding to
21 Article – Alcoholic Beverages
22 Section 23–1006.1
23 Annotated Code of Maryland
24 (2016 Volume and 2021 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Alcoholic Beverages

23–102.

This title applies only in Howard County.

23–1006.1.

(A) IN THIS SECTION, “SHOPPING MALL” MEANS A COMBINATION OF COMMERCIAL, PROFESSIONAL, OR RETAIL ESTABLISHMENTS THAT:

(1) ARE OPEN TO THE GENERAL PUBLIC FOR BUSINESS PURPOSES;

(2) ARE UNDER COMMON OWNERSHIP OR CONTROL;

(3) SHARE COMMON PARKING FACILITIES; AND

(4) ENCOMPASS AT LEAST 60 ACRES.

(B) THERE IS A CONSUMPTION ONLY SHOPPING MALL PLAZA LICENSE.

(C) THE BOARD MAY ISSUE A CONSUMPTION ONLY SHOPPING MALL PLAZA LICENSE TO THE OWNER OF A SHOPPING MALL IF THE SHOPPING MALL:

(1) INCLUDES AT LEAST ONE RESTAURANT FOR WHICH A CLASS B LICENSE HAS BEEN ISSUED; AND

(2) CONTAINS A DESIGNATED OUTDOOR PLAZA FOR THE CONSUMPTION OF ALCOHOLIC BEVERAGES.

(D) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO ALLOW THE CONSUMPTION OF BEER, WINE, AND LIQUOR IN A DESIGNATED OUTDOOR PLAZA LOCATED ON THE PREMISES OF THE SHOPPING MALL IF THE BEER, WINE, OR LIQUOR IS PURCHASED AT A RESTAURANT:

(1) THAT IS LOCATED WITHIN THE SHOPPING MALL;

(2) FOR WHICH A CLASS B LICENSE HAS BEEN ISSUED;

(3) THAT IS CONTIGUOUS TO THE DESIGNATED OUTDOOR PLAZA; AND

(4) THAT USES CONTAINERS BRANDED WITH AN IDENTIFYING MARK OF THE SELLER.

1 **(E) AS PART OF THE LICENSE APPLICATION, AN OWNER OF A SHOPPING**
2 **MALL SHALL INCLUDE:**

3 **(1) A DESCRIPTION OF THE DESIGNATED OUTDOOR PLAZA AND A LIST**
4 **OF THE CONTIGUOUS LICENSE HOLDERS WHOSE BEER, WINE, AND LIQUOR MAY BE**
5 **CONSUMED IN THE DESIGNATED OUTDOOR PLAZA; AND**

6 **(2) A SECURITY PLAN THAT HAS BEEN APPROVED BY THE HOWARD**
7 **COUNTY POLICE DEPARTMENT.**

8 **(F) THE LICENSE HOLDER MAY ALLOW THE CONSUMPTION OF BEER, WINE,**
9 **AND LIQUOR IN THE DESIGNATED OUTDOOR PLAZA ON MONDAY THROUGH SUNDAY,**
10 **FROM 11 A.M. TO 11 P.M.**

11 **(G) THE ANNUAL LICENSE FEE IS \$4,000.**

12 **(H) (1) IN THIS SUBSECTION, “PARTICIPATING RESTAURANT” MEANS A**
13 **RESTAURANT DESCRIBED UNDER SUBSECTION (D) OF THIS SECTION THAT**
14 **PARTICIPATES IN A COORDINATED PROMOTION OF A SPECIAL EVENT WITH THE**
15 **OWNER OF A SHOPPING MALL IN WHICH THE RESTAURANT IS LOCATED.**

16 **(2) (I) THERE IS A SHOPPING MALL PLAZA SPECIAL EVENT**
17 **PERMIT.**

18 **(II) THE BOARD MAY ISSUE THE PERMIT ONLY TO THE HOLDER**
19 **OF A CONSUMPTION ONLY SHOPPING MALL PLAZA LICENSE.**

20 **(3) THE HOLDER OF A CONSUMPTION ONLY SHOPPING MALL PLAZA**
21 **LICENSE SHALL APPLY TO THE BOARD FOR THE PERMIT BEFORE THE HOLDER OR A**
22 **PARTICIPATING RESTAURANT MAY PUBLICIZE, SELL TICKETS FOR, ORGANIZE,**
23 **OPERATE, PRODUCE, OR STAGE THE SPECIAL EVENT.**

24 **(4) THE PERMIT AUTHORIZES PARTICIPATING RESTAURANTS TO**
25 **OPERATE ADDITIONAL BARS OR SERVICE COUNTERS FOR THE SALE AND SERVICE OF**
26 **FOOD AND ALCOHOLIC BEVERAGES IN THE DESIGNATED OUTDOOR PLAZA**
27 **DESCRIBED UNDER THE CONSUMPTION ONLY SHOPPING MALL PLAZA LICENSE**
28 **DURING A SPECIAL EVENT.**

29 **(5) THE PERMIT FEE IS \$500.**

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
31 1, 2022.