

HOUSE BILL 1308

A2

2lr1420

By: **Howard County Delegation**

Introduced and read first time: February 11, 2022

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 9, 2022

CHAPTER _____

1 AN ACT concerning

2 **Howard County – Alcoholic Beverages Licenses – Notifications**

3 **Ho. Co. 14–22**

4 FOR the purpose of altering the notice requirements for an applicant for a new alcoholic
5 beverages license or changes to an existing license in Howard County; requiring the
6 Howard County Board of License Commissioners to publish a certain hearing notice
7 on the Board’s website for a certain period of time before a certain hearing; requiring
8 the Board to provide a certain hearing notice to the Howard County Office of Public
9 Information; requiring the Howard County Office of Public Information to post a
10 certain hearing notice in a certain manner; and generally relating to alcoholic
11 beverages licenses in Howard County.

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

17 BY repealing and reenacting, with amendments,
18 Article – Alcoholic Beverages
19 Section 23–1501 and 23–1505
20 Annotated Code of Maryland
21 (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 23–102.

5 This title applies only in Howard County.

6 23–1501.

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

9 (1) § 4–205 (“Chain store, supermarket, or discount house”);

10 (2) § 4–206 (“Limitations on retail sales floor space”);

11 (3) § 4–207 (“Licenses issued to minors”);

12 (4) § 4–209 (“Hearing”);

13 (5) § 4–210 (“Approval or denial of license application”);

14 (6) § 4–211 (“License forms; effective date; expiration”); and

15 (7) § 4–213 (“Replacement licenses”).

16 (b) **(1) SECTION 4–208 (“NOTICE OF LICENSE APPLICATION REQUIRED”)
17 OF DIVISION I OF THIS ARTICLE DOES NOT APPLY IN THE COUNTY AND IS
18 SUPERSEDED BY § 23–1505 OF THIS SUBTITLE.**

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20 Division I of this article does not apply in the county and is superseded by § 23–1507 of this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

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

24 (1) § 4–202 (“Authority of local licensing boards”), subject to § 23–1502 of
25 this subtitle;

26 (2) § 4–203 (“Prohibition against issuing multiple licenses to individual or
27 for use of entity”), subject to § 23–1504 of this subtitle;

28 (3) § 4–204 (“Prohibition against issuing multiple licenses for same
29 premises”), subject to Subtitle 13, Part III and Subtitle 16, Part II of this title; **AND**

1 (4) [§ 4–208 (“Notice of license application required”), subject to § 23–1505
2 of this subtitle; and

3 (5)] § 4–212 (“License not property”), in addition to § 23–1506 of this
4 subtitle.
5 23–1505.

6 (a) [In addition to the newspaper notice required under § 4–208 of this article, an
7 inspector for the Board, in cooperation with the applicant,] **THE APPLICANT** shall post a
8 hearing notice for at least 15 days before the hearing on an application for:

9 (1) a new license;

10 (2) a change in the class of a license; [or]

11 (3) an extension of the licensed premises;

12 (4) **A CHANGE OF RESIDENT AGENT;**

13 (5) **A TRANSFER OF A LICENSE; OR**

14 (6) **A TRANSFER OF LOCATION.**

15 (b) ~~(1) The notice shall be posted at the location described in the application~~
16 ~~AND SHALL INCLUDE: THE APPLICANT SHALL:~~

17 (I) POST THE HEARING NOTICE REQUIRED IN SUBSECTION (A)
18 OF THIS SECTION AT THE LOCATION DESCRIBED IN THE APPLICATION;

19 (II) TAKE A PHOTOGRAPH OF THE HEARING NOTICE POSTED IN
20 ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH; AND

21 (III) SEND THE PHOTOGRAPH OF THE HEARING NOTICE TO THE
22 BOARD BEFORE THE HEARING ON THE APPLICATION.

23 (2) THE HEARING NOTICE REQUIRED IN SUBSECTION (A) OF THIS
24 SECTION SHALL INCLUDE:

25 ~~(1)~~ (I) THE NAME OF THE APPLICANT;

26 ~~(2)~~ (II) THE TYPE OF LICENSE FOR WHICH THE APPLICATION IS
27 MADE;

1 ~~(3)~~ **(III) THE LOCATION DESCRIBED IN THE APPLICATION; AND**

2 ~~(4)~~ **(IV) THE DATE, TIME, AND PLACE SET BY THE BOARD FOR A**
3 **HEARING ON THE APPLICATION.**

4 **(C) (1) THE BOARD SHALL POST A HEARING NOTICE ON THE BOARD’S**
5 **WEBSITE FOR AT LEAST 15 DAYS BEFORE THE HEARING ON AN APPLICATION.**

6 **(2) THE HEARING NOTICE REQUIRED IN PARAGRAPH (1) OF THIS**
7 **SUBSECTION SHALL INCLUDE:**

8 **(I) THE NAME OF THE APPLICANT;**

9 **(II) THE TYPE OF LICENSE FOR WHICH THE APPLICATION IS**
10 **MADE;**

11 **(III) THE LOCATION DESCRIBED IN THE APPLICATION; AND**

12 **(IV) THE DATE, TIME, AND PLACE SET BY THE BOARD FOR A**
13 **HEARING ON THE APPLICATION.**

14 **(D) (1) THE BOARD SHALL PROVIDE THE HEARING NOTICE REQUIRED IN**
15 **SUBSECTION (C) OF THIS SECTION TO THE HOWARD COUNTY OFFICE OF PUBLIC**
16 **INFORMATION AT LEAST 15 DAYS BEFORE THE HEARING ON AN APPLICATION.**

17 **(2) THE HOWARD COUNTY OFFICE OF PUBLIC INFORMATION SHALL**
18 **POST THE HEARING NOTICE IN THE SAME MANNER AS OTHER PUBLIC MEETING**
19 **NOTICES.**

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
21 1, 2022.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.