

HOUSE BILL 146

A2

3lr0491

By: **Howard County Delegation**

Introduced and read first time: January 16, 2023

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 10, 2023

CHAPTER _____

1 AN ACT concerning

2 **Howard County – Alcoholic Beverages – Public Hearing**

3 **Ho. Co. 13–23**

4 FOR the purpose of exempting applications for changing certain resident agents from the
5 requirement that the Board of License Commissioners for Howard County hold a
6 public hearing on the applications; authorizing the Board to hold a public hearing on
7 certain applications under certain circumstances; and generally relating to alcoholic
8 beverages in Howard County.

9 BY repealing and reenacting, without amendments,
10 Article – Alcoholic Beverages
11 Section 23–102
12 Annotated Code of Maryland
13 (2016 Volume and 2022 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Alcoholic Beverages
16 Section 23–1505
17 Annotated Code of Maryland
18 (2016 Volume and 2022 Supplement)

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

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.



Article – Alcoholic Beverages

23–102.

This title applies only in Howard County.

23–1505.

(a) The applicant shall post a hearing notice for at least 15 days before the hearing on an application for:

(1) a new license;

(2) a change in the class of a license;

(3) an extension of the licensed premises;

(4) **EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION**, a change of resident agent;

(5) a transfer of a license; or

(6) a transfer of location.

(b) (1) The applicant shall:

(i) post the hearing notice required in subsection (a) of this section at the location described in the application;

(ii) take a photograph of the hearing notice posted in accordance with subparagraph (i) of this paragraph; and

(iii) send the photograph of the hearing notice to the Board before the hearing on the application.

(2) The hearing notice required in subsection (a) of this section shall include:

(i) the name of the applicant;

(ii) the type of license for which the application is made;

(iii) the location described in the application; and

(iv) the date, time, and place set by the Board for a hearing on the application.

1 (c) (1) The Board shall post a hearing notice on the Board’s website for at least
2 15 days before the hearing on an application.

3 (2) The hearing notice required in paragraph (1) of this subsection shall
4 include:

- 5 (i) the name of the applicant;
- 6 (ii) the type of license for which the application is made;
- 7 (iii) the location described in the application; and
- 8 (iv) the date, time, and place set by the Board for a hearing on the
9 application.

10 (d) (1) The Board shall provide the hearing notice required in subsection (c) of
11 this section to the Howard County Office of Public Information at least 15 days before the
12 hearing on an application.

13 (2) The Howard County Office of Public Information shall post the hearing
14 notice in the same manner as other public meeting notices.

15 **(E) (1) A HEARING ON AN APPLICATION FOR A CHANGE OF RESIDENT
16 AGENT IS NOT REQUIRED IF THE APPLICANT:**

17 **(I) IS SEEKING TO BE A RESIDENT AGENT FOR THE SAME
18 LICENSE FOR WHICH THE APPLICANT IS A LICENSE HOLDER; AND**

19 **(II) HAS PREVIOUSLY APPEARED AND BEEN APPROVED AT A
20 NONVIOLATION HEARING FOR THE SAME LICENSE BEFORE THE BOARD OF LICENSE
21 COMMISSIONERS OR THE APPOINTED ALCOHOLIC BEVERAGE HEARING BOARD.**

22 **(2) THE BOARD MAY HOLD A HEARING UNDER PARAGRAPH (1) OF
23 THIS SUBSECTION IF THE BOARD DETERMINES THERE IS GOOD CAUSE FOR THE
24 HEARING.**

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
26 1, 2023.