

HOUSE BILL 258

A2

3lr1053
CF 3lr1054

By: **Delegates Arentz, Ghrist, and Jacobs**

Introduced and read first time: January 25, 2023

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Queen Anne's County – Alcoholic Beverages Licenses – Residency Requirement**

3 FOR the purpose of removing the requirement that a certain applicant for an alcoholic
4 beverages license in Queen Anne's County be a resident of Queen Anne's County;
5 and generally relating to alcoholic beverages licenses in Queen Anne's County.

6 BY repealing and reenacting, without amendments,
7 Article – Alcoholic Beverages
8 Section 4–109(a) and 27–102
9 Annotated Code of Maryland
10 (2016 Volume and 2022 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article – Alcoholic Beverages
13 Section 27–1401(c) and 27–1402
14 Annotated Code of Maryland
15 (2016 Volume and 2022 Supplement)

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

18 **Article – Alcoholic Beverages**

19 4–109.

20 (a) A license application shall state:

21 (1) the class of license for which the applicant is applying;

22 (2) the name and address of the applicant and how long the applicant has
23 resided at that address;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (3) that at least one applicant is a citizen of the United States;
- 2 (4) that the applicant is a resident of the jurisdiction in which the applicant
3 proposes to operate under the license for which the applicant is applying;
- 4 (5) the age and sex of the applicant;
- 5 (6) the birth place of the applicant, and if the applicant is a naturalized
6 citizen, the date and place the applicant was naturalized;
- 7 (7) a description of the place for which the license is sought, including:
- 8 (i) the street and number, if practicable, or other description that
9 definitively locates the place; and
- 10 (ii) a description of the portion of the building in which the business
11 will be conducted;
- 12 (8) the name of the owner of the location where the business to be licensed
13 is to be conducted;
- 14 (9) that the applicant has never been convicted of a felony;
- 15 (10) whether the applicant has ever been found guilty of violating a law in
16 the State governing the sale of alcoholic beverages or the prevention of gambling;
- 17 (11) that the applicant has a financial interest in the business to be
18 conducted under the license;
- 19 (12) that the applicant has not had a license for the sale of alcoholic
20 beverages revoked;
- 21 (13) that the applicant or a person on behalf of whom the application is filed
22 does not have a financial interest in any other place of business in the jurisdiction for which
23 an alcoholic beverage license has been applied for or issued;
- 24 (14) whether the applicant has been found guilty of violating a State or
25 federal law;
- 26 (15) whether the applicant has held a license for the sale of alcoholic
27 beverages and, if so, the name of the state and the location where the license was held;
- 28 (16) that during the term of the license, a person other than the applicant
29 will not have a financial interest in the license or in the business to be conducted under the
30 license;

1 (17) that a manufacturer, brewer, distiller, or wholesaler, directly or
2 indirectly, does not have a financial interest in the premises or business of the applicant;

3 (18) that after receipt of a license, the applicant will not convey or grant an
4 interest in the location or business to a manufacturer, brewer, distiller, or wholesaler,
5 except as authorized under this article;

6 (19) that, except for the purchase of alcoholic beverages, when applying for
7 the license, the applicant does not have indebtedness or other financial obligation to a
8 manufacturer, brewer, distiller, or wholesaler;

9 (20) that after the license is issued, the applicant will not incur, directly or
10 indirectly, indebtedness or other financial obligation other than for the purchase of
11 alcoholic beverages to a manufacturer, brewer, distiller, or wholesaler; and

12 (21) that, if issued a license, the applicant will conform to all laws and
13 regulations relating to the business in which the applicant proposes to engage.

14 27-102.

15 This title applies only in Queen Anne's County.

16 27-1401.

17 (c) The following sections of Title 4, Subtitle 1 ("Applications for Local Licenses")
18 of Division I of this article apply in the county:

19 (1) § 4-103 ("Application on behalf of partnership"), subject to § 27-1402 of
20 this subtitle;

21 (2) § 4-104 ("Application on behalf of corporation or club"), subject to §
22 27-1403 of this subtitle;

23 (3) § 4-105 ("Application on behalf of limited liability company"), subject to
24 § 27-1403 of this subtitle; and

25 (4) § 4-109 ("Required information on application — In general"), subject
26 to [§ 27-1404] §§ 27-1402 AND 27-1404 of this subtitle.

27 27-1402.

28 An applicant [on behalf of a partnership may not be issued a Class A beer, wine, and
29 liquor license unless the owners of 75% of the interest in the partnership are residents of
30 the county at the time the application is filed] **FOR AN ALCOHOLIC BEVERAGES LICENSE**
31 **NEED NOT BE A RESIDENT OF THE COUNTY.**

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