HOUSE BILL 1063

A2 3lr1485 CF SB 654

By: Harford County Delegation

Introduced and read first time: February 10, 2023

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 10, 2023

CHAPTER

- 1 AN ACT concerning
- 2 Harford County Alcoholic Beverages Class HC (Health Club) License
- 3 FOR the purpose of establishing a Class HC (health club) beer, and wine, and liquor license
- 4 in Harford County; authorizing the Board of License Commissioners for Harford
- 5 County to issue the license to a person that sells certain health club services:
- 6 exempting the holder of the license from certain distance requirements related to
- 7 places of worship and schools; and generally relating to alcoholic beverages licenses
- 8 in Harford County.
- 9 BY renumbering
- 10 Article Alcoholic Beverages
- 11 Section 22–1004 and 22–1004.1
- 12 to be Section 22–1004.1 and 22–1004.2, respectively
- 13 Annotated Code of Maryland
- 14 (2016 Volume and 2022 Supplement)
- 15 BY repealing and reenacting, without amendments,
- 16 Article Alcoholic Beverages
- 17 Section 22–102
- 18 Annotated Code of Maryland
- 19 (2016 Volume and 2022 Supplement)
- 20 BY adding to
- 21 Article Alcoholic Beverages
- 22 Section 22–1004

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

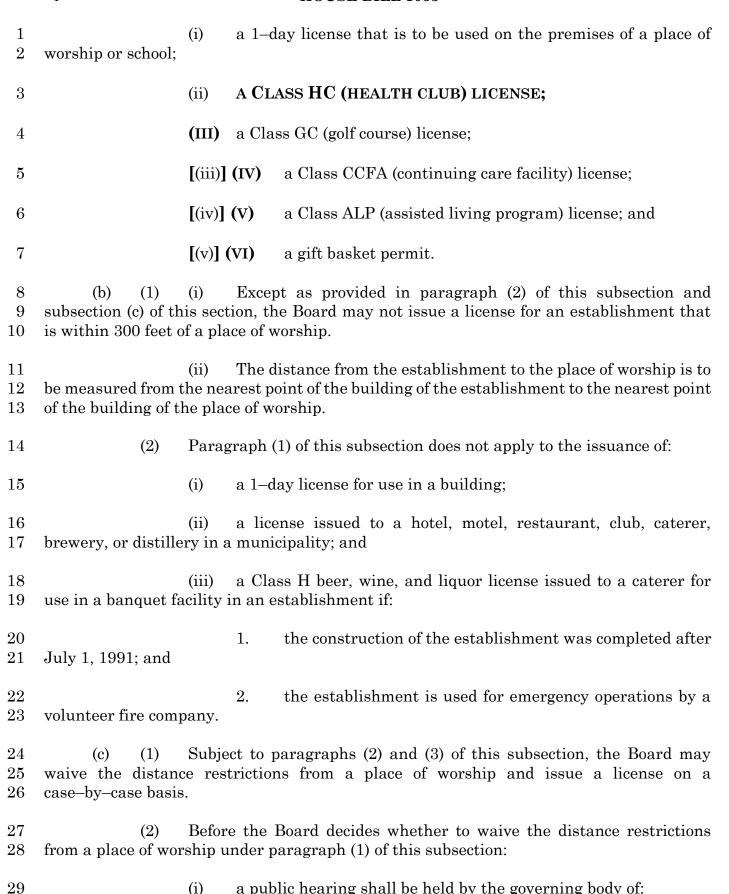
<u>Underlining</u> indicates amendments to bill.

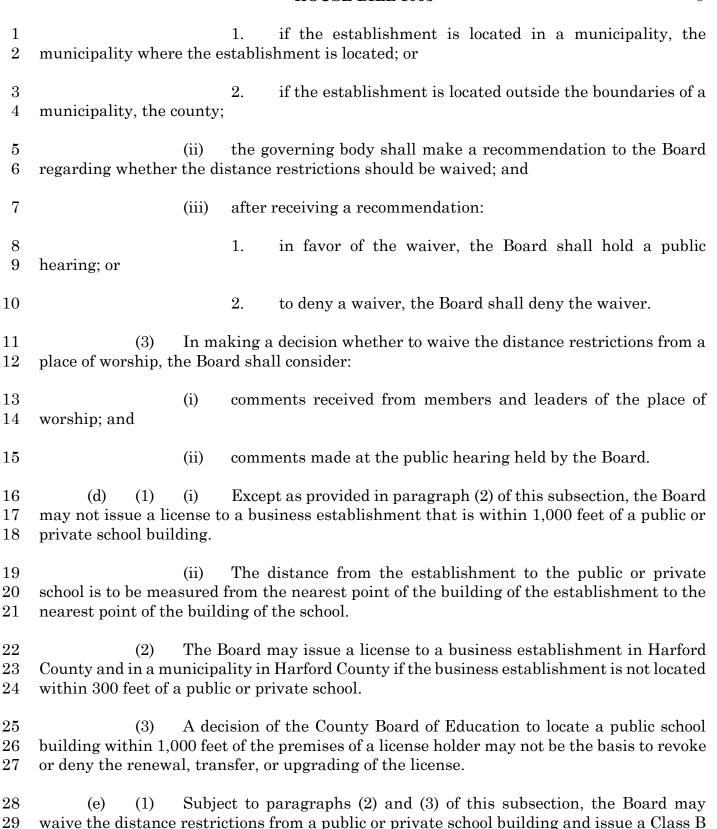
Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.



$\frac{1}{2}$	Annotated Code of Maryland (2016 Volume and 2022 Supplement)
3 4 5 6 7	BY repealing and reenacting, with amendments, Article – Alcoholic Beverages Section 22–1602 Annotated Code of Maryland (2016 Volume and 2022 Supplement)
8 9 10	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 22–1004 and 22–1004.1 of Article – Alcoholic Beverages of the Annotated Code of Maryland be renumbered to be Section(s) 22–1004.1 and 22–1004.2, respectively.
$\frac{1}{2}$	SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:
13	Article - Alcoholic Beverages
4	22–102.
15	This title applies only in Harford County.
6	22–1004.
17	(A) THERE IS:
18	(1) A 6-DAY CLASS HC (HEALTH CLUB) BEER, <u>AND</u> WINE, AND LICENSE; AND
20 21	(2) A 7-DAY CLASS HC (HEALTH CLUB) BEER, AND WINE, AND LIQUOR LICENSE.
22 23	(B) THE BOARD MAY ISSUE THE 6-DAY OR THE 7-DAY LICENSE TO A PERSON WHO:
24 25	(1) SELLS HEALTH CLUB SERVICES, AS DEFINED IN § 14–12B–01 OF THE COMMERCIAL LAW ARTICLE;
26	(2) HAS A HEALTH CLUB FACILITY THAT OFFERS:
27	(I) AN INDOOR OR OUTDOOR SWIMMING POOL; OR
28	(II) PICKLEBALL COURTS;
29	(2) (3) HAS AT LEAST 150 MEMBERS WHO PAY DUES; AND

- 3 (C) (1) THE 6-DAY LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL
 4 BEER, AND WINE, AND LIQUOR FROM MONDAY THROUGH SATURDAY FOR
 5 CONSUMPTION ON THE LAND AND IN THE BUILDINGS OF THE HEALTH CLUB
 6 FACILITY TO PATRONS WHO MAY BE EITHER SEATED OR STANDING IN A BAR AREA
 7 AT A SWIMMING POOL OR AN INDOOR LOUNGE OR BOTH.
- 8 (2) THE 7-DAY LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL
 9 BEER, AND WINE, AND LIQUOR FROM MONDAY THROUGH SUNDAY FOR
 10 CONSUMPTION ON THE LAND AND IN THE BUILDINGS OF THE HEALTH CLUB
 11 FACILITY TO PATRONS WHO MAY BE EITHER SEATED OR STANDING IN A BAR AREA
 12 AT A SWIMMING POOL OR AN INDOOR LOUNGE OR BOTH.
- 13 (D) THE 6-DAY LICENSE HOLDER AND THE 7-DAY LICENSE HOLDER MAY
 14 SELL BEER; AND WINE, AND LIQUOR FOR ON-PREMISES CONSUMPTION DURING THE
 15 HOURS AND DAYS AS SET OUT FOR A CLASS C BEER, WINE, AND LIQUOR LICENSE
 16 UNDER § 22-2004(F) OF THIS TITLE FROM 1 P.M. TO 9 P.M.
- 17 (E) THE LICENSE HOLDER SHALL PURCHASE BEER AND WINE FROM AN AUTHORIZED AND LICENSED WHOLESALER.
- 19 **(F)** THE LICENSE HOLDER SHALL PROVIDE PREPACKAGED FOOD OR 20 SNACKS AT ALL TIMES WHEN BEER AND WINE ARE SOLD.
- 21 (E) (G) (1) The annual fee for the 6-day license is \$1,300.
- 22 (2) THE ANNUAL FEE FOR THE 7-DAY LICENSE IS \$1,400.
- 23 22–1602.
- 24 (a) This section does not apply to:
- 25 (1) a license in effect on July 1, 1975, or the issuance or transfer of a Class 26 B (on–sale) beer, wine, and liquor license for use on any premises licensed on July 1, 1975;
- 27 (2) a license in effect on July 1, 1977;
- 28 (3) the renewal, transfer, or upgrading of a license, unless the license is 29 transferred to a new location; and
- 30 (4) the issuance of:





31 (2) Before the Board decides whether to waive the distance restrictions 32 from a public or private school building under paragraph (1) of this subsection:

(on-sale) restaurant license or a Class B cafe license on a case-by-case basis.

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1	(i) a public hearing shall be held by the governing body of:
2 3	1. if the restaurant is located in a municipality, the municipality where the restaurant is located; or
4 5	2. if the restaurant is located outside the boundaries of a municipality, the county where the restaurant is located;
6 7	(ii) the governing body shall make a recommendation to the Board regarding whether the distance restrictions should be waived; and
8 9	(iii) after receiving the recommendation, the Board shall hold a public hearing.
10 11	(3) In making a decision whether to waive the distance restrictions from a public or private school building, the Board shall take into consideration:
12	(i) the recommendation from the governing body;
13 14	(ii) comments received from parents whose children attend the public or private school; and
15	(iii) comments made at the public hearing held by the Board.
16 17	SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2023.
	Approved:
	Governor.
	Speaker of the House of Delegates.

President of the Senate.