

SENATE BILL 440

A2

EMERGENCY BILL

3lr1094
CF HB 655

By: **Senator Hayes**

Introduced and read first time: February 2, 2023

Assigned to: Finance

Committee Report: Favorable

Senate action: Adopted

Read second time: March 2, 2023

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City – Alcoholic Beverages Districts – Legislative Districting Plan**
3 **References**

4 FOR the purpose of updating certain provisions of law regarding Baltimore City alcoholic
5 beverages districts to refer to a certain Legislative Districting Plan; requiring the
6 Board of License Commissioners for Baltimore City to grant a certain exemption to
7 certain persons under certain circumstances; and generally relating to alcoholic
8 beverages districts in Baltimore City.

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

14 BY repealing and reenacting, with amendments,
15 Article – Alcoholic Beverages
16 Section 12–903(c)(1), 12–1308(a)(5), 12–1603(a), 12–1604(a), 12–1707(a), and
17 12–2007(b)(1)
18 Annotated Code of Maryland
19 (2016 Volume and 2022 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
21 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

12–102.

This title applies only in Baltimore City.

12–903.

(c) (1) In this subsection, “46th alcoholic beverages district” means an area that has the same boundaries as the 46th legislative district in the Legislative Districting Plan of [2012] **2022**.

12–1308.

(a) This section applies in:

(5) the 3000 block of Frederick Avenue in ward 20, precinct 9 of the 44A legislative district of the City, based on the Legislative Districting Plan of [2012] **2022**; and

12–1603.

(a) The alcoholic beverages districts described in this section at all times are coterminous with the legislative districts in the Legislative Districting Plan of [2012] **2022**.

12–1604.

(a) This section applies only to the 46th alcoholic beverages district, which at all times is coterminous with the 46th legislative district in the Legislative Districting Plan of [2012] **2022**.

12–1707.

(a) The alcoholic beverages districts described in this section at all times are coterminous with the legislative districts in the Legislative Districting Plan of [2012] **2022**.

12–2007.

(b) (1) The Board may grant an exemption for remaining open after hours to:

(i) a holder of a Class B restaurant license, only for serving food to patrons seated for dining;

(ii) a pharmacy that fills prescriptions; or

(iii) a holder of a Class D beer, wine, and liquor license that operates a restaurant, if:

1 1. it is used only for serving food to patrons seated in a dining
2 room that is not adjacent to a bar; and

3 2. the restaurant is located in the 46th Legislative District in
4 the Legislative Districting Plan of [2012] **2022**.

5 SECTION 2. AND BE IT FURTHER ENACTED, That the Board of License
6 Commissioners for Baltimore City shall exempt from this Act an alcoholic beverages license
7 holder that currently conducts an activity that is made unlawful by this Act if the license
8 holder:

9 (1) received approval from the Board to conduct the activity on or before
10 February 1, 2022; and

11 (2) has owned the licensed premises continuously since February 1, 2022.

12 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency
13 measure, is necessary for the immediate preservation of the public health or safety, has
14 been passed by a yea and nay vote supported by three-fifths of all the members elected to
15 each of the two Houses of the General Assembly, and shall take effect from the date it is
16 enacted.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.