

# HOUSE BILL 635

A2

4r1554  
CF SB 734

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By: **Harford County Delegation**

Introduced and read first time: January 25, 2024

Assigned to: Economic Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 8, 2024

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Harford County – Alcoholic Beverages – Performing Arts Nonprofit**  
3 **Organization License**

4 FOR the purpose of establishing in Harford County a performing arts nonprofit  
5 organization license that authorizes the holder to sell or serve beer, wine, and liquor  
6 at certain locations for on–premises consumption; requiring the holder of the license  
7 to comply with certain record–keeping and reporting requirements; and generally  
8 relating to alcoholic beverages licenses in Harford County.

9 BY renumbering

10 Article – Alcoholic Beverages and Cannabis  
11 Section 22–1005.2 and 22–1005.3  
12 to be Section 22–1005.3 and 22–1005.4, respectively  
13 Annotated Code of Maryland  
14 (2016 Volume and 2023 Supplement)

15 BY repealing and reenacting, without amendments,

16 Article – Alcoholic Beverages and Cannabis  
17 Section 22–102  
18 Annotated Code of Maryland  
19 (2016 Volume and 2023 Supplement)

20 BY adding to

21 Article – Alcoholic Beverages and Cannabis  
22 Section 22–1005.2

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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 Annotated Code of Maryland  
2 (2016 Volume and 2023 Supplement)

3 BY repealing and reenacting, with amendments,  
4 Article – Alcoholic Beverages and Cannabis  
5 Section 22–1501(b)(2)  
6 Annotated Code of Maryland  
7 (2016 Volume and 2023 Supplement)

8 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
9 That Section(s) 22–1005.2 and 22–1005.3 of Article – Alcoholic Beverages and Cannabis of  
10 the Annotated Code of Maryland be renumbered to be Section(s) 22–1005.3 and 22–1005.4,  
11 respectively.

12 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
13 as follows:

14 **Article – Alcoholic Beverages and Cannabis**

15 22–102.

16 This title applies only in Harford County.

17 **22–1005.2.**

18 (A) IN THIS SECTION, “PERFORMING ARTS NONPROFIT ORGANIZATION”  
19 MEANS A NONPROFIT ORGANIZATION THAT ORGANIZES THE PRODUCTION OF PLAYS,  
20 ACTS, DRAMAS, CONCERTS, OR SIMILAR EVENTS BY INDIVIDUALS PERFORMING ON  
21 A STAGE OR THE SHOWING OF FILMS.

22 (B) THERE IS A PERFORMING ARTS NONPROFIT ORGANIZATION BEER,  
23 WINE, AND LIQUOR LICENSE.

24 (C) THE BOARD MAY ISSUE THE LICENSE TO A PERFORMING ARTS  
25 NONPROFIT ORGANIZATION.

26 (D) (1) THE LICENSE AUTHORIZES THE HOLDER TO SELL OR SERVE BEER,  
27 WINE, AND LIQUOR AT RETAIL FOR ON–PREMISES CONSUMPTION AT UP TO THREE  
28 LOCATIONS DESIGNATED AT THE TIME OF APPLICATION.

29 (2) THE LOCATIONS DESIGNATED AT THE TIME OF APPLICATION  
30 MUST:

31 (I) BE SUITABLE FOR THE PRODUCTION OF PLAYS, ACTS,  
32 DRAMAS, CONCERTS, OR SIMILAR EVENTS BY INDIVIDUALS PERFORMING ON A  
33 STAGE OR THE SHOWING OF FILMS; AND

1 (II) MEET ANY OTHER REQUIREMENTS ESTABLISHED BY THE  
2 BOARD.

3 (3) THE LICENSE HOLDER MAY ALTER THE AUTHORIZED LOCATIONS  
4 EACH TIME THE LICENSE IS RENEWED.

5 (E) THE LICENSE HOLDER MAY SELL OR SERVE BEER, WINE, AND LIQUOR:

6 (1) 1 HOUR BEFORE AND AFTER A PERFORMANCE;

7 (2) DURING A PERFORMANCE;

8 (3) DURING AN INTERMISSION; AND

9 (4) DURING A RECEPTION WITHIN 1 HOUR BEFORE OR AFTER A  
10 PERFORMANCE.

11 (F) THE LICENSE MAY NOT BE TRANSFERRED TO ANOTHER LOCATION NOT  
12 IDENTIFIED ON THE APPLICATION.

13 (G) THE LICENSE HOLDER SHALL PURCHASE BEER, WINE, AND LIQUOR  
14 FROM A RETAIL LICENSE HOLDER OR AN AUTHORIZED AND LICENSED WHOLESALER.

15 (H) A LICENSE HOLDER MAY NOT SELL OR ISSUE MORE THAN 750 TICKETS  
16 TO ANY EVENT OR PERFORMANCE AT WHICH THE HOLDER WILL SELL OR SERVE  
17 BEER, WINE, OR LIQUOR.

18 (I) ISSUANCE OF A LICENSE UNDER THIS SECTION DOES NOT PROHIBIT THE  
19 BOARD FROM ISSUING A CLASS C PER DIEM LICENSE TO THE PERFORMING ARTS  
20 NONPROFIT ORGANIZATION FOR AN EVENT OUTSIDE THE SCOPE OF THE LICENSE.

21 (J) THE LICENSE HOLDER SHALL SERVE OR OFFER FOR SALE SNACKS AT  
22 ALL TIMES WHEN BEER, WINE, AND LIQUOR ARE SOLD.

23 (K) (1) THE LICENSE HOLDER SHALL:

24 (I) KEEP COMPLETE AND ACCURATE RECORDS OF ALL  
25 ALCOHOLIC BEVERAGES SOLD, SERVED, AND PURCHASED UNDER THIS SECTION;

26 (II) ON WRITTEN REQUEST OF THE COMPTROLLER OR THE  
27 BOARD, REPORT ON THE FORM THAT THE COMPTROLLER OR THE BOARD REQUIRES  
28 INFORMATION RELATING TO THE ALCOHOLIC BEVERAGES THAT ARE THE SUBJECT  
29 OF THE RECORDS REQUIRED TO BE KEPT; AND

1                    (III) ON REQUEST OF THE COMPTROLLER OR THE BOARD, MAKE  
2 THE REPORT UNDER OATH.

3                    (2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS  
4 PARAGRAPH, EACH LICENSE HOLDER SHALL KEEP RECORDS AT THE LOCATION  
5 DESIGNATED IN THE LICENSE.

6                    (II) IF THE LICENSE HOLDER IS ALLOWED TO HAVE MORE THAN  
7 ONE LOCATION, THE LICENSE HOLDER MAY KEEP THE RECORDS AT THE PRINCIPAL  
8 LOCATION.

9                    (III) THE RECORDS SHALL:

10                    1. MEET FORM AND CONTENT REQUIREMENTS OF THE  
11 COMPTROLLER AND THE BOARD;

12                    2. BE PRESERVED FOR AT LEAST 2 YEARS IN A MANNER  
13 THAT ENSURES PERMANENCY; AND

14                    3. BE MADE AVAILABLE FOR AUDIT OR INSPECTION  
15 DURING REGULAR BUSINESS HOURS BY THE COMPTROLLER OR THE BOARD OR A  
16 DESIGNEE OF THE COMPTROLLER OR THE BOARD.

17                    (3) (I) THE COMPTROLLER MAY WITHOUT A HEARING  
18 IMMEDIATELY SUSPEND FOR A MAXIMUM OF 30 DAYS THE LICENSE OF A LICENSE  
19 HOLDER WHO FAILS TO COMPLY WITH THIS SUBSECTION.

20                    (II) IF A REPORT REQUIRED BY THIS SECTION OR AN  
21 INVESTIGATION BY THE BOARD, A BOARD OFFICER, THE COMPTROLLER, OR ANY  
22 OTHER PERSON INDICATES THAT THE LICENSE HOLDER IS VIOLATING THIS  
23 SECTION, THE BOARD SHALL SUMMON THE LICENSE HOLDER AND CONDUCT A  
24 HEARING.

25                    (III) IF THE CHARGES AT THE HEARING ARE SUSTAINED, THE  
26 BOARD:

27                    1. SHALL IMPOSE A FINE OF NOT LESS THAN \$250 AND  
28 NOT MORE THAN \$2,000; AND

29                    2. MAY SUSPEND OR REVOKE THE LICENSE HOLDER'S  
30 LICENSE IMMEDIATELY.

31                    ~~(K)~~ (L) THE ANNUAL LICENSE FEE IS \$750.

1 22-1501.

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

4 (2) § 4-203 (“Prohibition against issuing multiple licenses to individual or  
5 for use of entity”), subject to §§ 22-1503 and 22-1504 of this subtitle and Subtitle 13, Part  
6 III [and], Subtitle 16, Part II, AND § 22-1005.2 of this title;

7 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
8 1, 2024.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.