

HOUSE BILL 1089

A2

4r3116
CF SB 904

By: **Delegate Clippinger (By Request – Baltimore City Administration)**

Introduced and read first time: February 7, 2024

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 8, 2024

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City – Alcoholic Beverages – Class B Beer, Wine, and Liquor License –**
3 **Downtown Management District**

4 FOR the purpose of authorizing the Board of License Commissioners for Baltimore City to
5 issue a Class B beer, wine, and liquor license in a certain Downtown Management
6 District; establishing the requirements for a holder of the license; and generally
7 relating to alcoholic beverages licenses in Baltimore City.

8 BY repealing and reenacting, without amendments,
9 Article – Alcoholic Beverages and Cannabis
10 Section 12–102
11 Annotated Code of Maryland
12 (2016 Volume and 2023 Supplement)

13 BY adding to
14 Article – Alcoholic Beverages and Cannabis
15 Section 12–1606
16 Annotated Code of Maryland
17 (2016 Volume and 2023 Supplement)

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

20 **Article – Alcoholic Beverages and Cannabis**

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 12-102.

2 This title applies only in Baltimore City.

3 **12-1606.**

4 (A) IN THIS SECTION, "DOWNTOWN MANAGEMENT DISTRICT" HAS THE
5 MEANING STATED IN § 7-504.2(A) OF THE TAX – PROPERTY ARTICLE.

6 (B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW IN THIS TITLE, THE
7 BOARD MAY ISSUE A CLASS B BEER, WINE, AND LIQUOR LICENSE FOR USE BY A
8 RESTAURANT IN THE DOWNTOWN MANAGEMENT DISTRICT THAT:

9 (1) HAS AVERAGE DAILY RECEIPTS FROM THE SALE OF FOOD THAT
10 ARE AT LEAST 51% OF THE TOTAL DAILY RECEIPTS OF THE RESTAURANT;

11 (2) HAS BEEN CLASSIFIED BY THE BALTIMORE CITY HEALTH
12 DEPARTMENT AS:

13 (I) A HIGH PRIORITY FOOD SERVICE FACILITY; OR

14 (II) A MODERATE PRIORITY FOOD SERVICE FACILITY; AND

15 (3) HAS EXECUTED A MEMORANDUM OF UNDERSTANDING WITH THE
16 DOWNTOWN PARTNERSHIP OF BALTIMORE.

17 (C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,
18 THE HOLDER OF A LICENSE ISSUED UNDER THIS SECTION MAY NOT SELL ALCOHOLIC
19 BEVERAGES FOR OFF-PREMISES CONSUMPTION.

20 (2) THE BOARD MAY ISSUE THE HOLDER OF A LICENSE ISSUED
21 UNDER THIS SECTION A REFILLABLE CONTAINER PERMIT IN ACCORDANCE WITH §
22 12-1102 OF THIS TITLE.

23 (D) A LICENSE ISSUED UNDER THIS SECTION MAY NOT BE TRANSFERRED
24 FROM THE LOCATION OF ITS FIRST ISSUANCE.

25 (E) IF A LICENSE ISSUED UNDER THIS SECTION IS RENEWED, THE LICENSE
26 HOLDER SHALL FILE WITH THE BOARD AS PART OF ITS RENEWAL APPLICATION:

27 (1) A STATEMENT DETAILING THE AVERAGE DAILY RECEIPTS FROM
28 THE RESTAURANT;

29 (2) AN AFFIDAVIT FROM A CERTIFIED PUBLIC ACCOUNTANT THAT

1 VERIFIES THAT THE LICENSE HOLDER MEETS THE REQUIREMENTS OF SUBSECTION
2 (B)(1) OF THIS SECTION; AND

3 (3) ANY OTHER INFORMATION THAT THE BOARD REQUIRES.

4 (F) THE BOARD:

5 (1) MAY NOT ISSUE A NEW LICENSE UNDER THIS SECTION AFTER
6 JUNE 30, 2028; BUT

7 (2) MAY CONTINUE TO RENEW LICENSES ISSUED ON OR BEFORE JUNE
8 30, 2028.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
10 1, 2024.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.