

**HB0784/393129/1**

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 784  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**46th Alcoholic Beverages District –**” and substitute “**Alcoholic Beverages**”; in the same line, after “**Licenses**” insert “– **Alterations**”; in line 3, after the first “of” insert “authorizing the Board of License Commissioners for Baltimore City to provide a certain waiver from certain requirements for a restaurant within a certain bounded area in the 46th alcoholic beverages district; expanding the class of license to which a certain requirement for a memorandum of understanding applies to include any alcoholic beverages license in Baltimore City;”; in line 5, strike “of License Commissioners for Baltimore City”; in line 7, strike “a”; in the same line, strike “license” and substitute “licenses”; in line 8, after “transfer;” insert “providing an exception to a certain prohibition against the Board allowing a certain license transfer under certain circumstances;”; and in line 17, after “Section” insert “12–104, 12–1406(b), and”.

AMENDMENT NO. 2

On page 2, after line 8, insert:

“12–104.

(a) To be considered a restaurant, an establishment shall meet the requirements of this section.

(b) An establishment shall have average daily receipts from the sale of food that are at least 40% of its total daily receipts.

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(c) The Board may not consider as food an ingredient or a garnish used with or mixed with an alcoholic beverage that is prepared and served for on-premises consumption.

(d) (1) The Board may waive the food requirement specified under subsection (b) of this section for a restaurant:

(I) owned and operated by a nonprofit organization in the area bounded by South Ellwood Avenue on the west, Bank Street on the north, South Bouldin Street on the east, and Fleet Street on the south; OR

(II) OPERATED IN THE AREA BOUNDED BY SOUTH EDEN STREET ON THE WEST, BANK STREET ON THE NORTH, SOUTH SPRING STREET ON THE EAST, AND EASTERN AVENUE ON THE SOUTH.

(2) For a license that meets the qualifications under paragraph (1) of this subsection, the Board may approve an expansion of the licensed premises onto a noncontiguous property with a second separate use permit issued by the City, if the second separate use permit specifically refers to the alcoholic beverages license at the primary location.

12-1406.

(b) If a community association and an applicant for the issuance or renewal of [a Class B, B-D-7, or D] AN alcoholic beverages license have entered into a memorandum of understanding that expressly acknowledges the authority of the Board under this article, the Board may make the issuance or renewal of the license conditional on the substantial compliance of the applicant with the memorandum of understanding.”.

On page 4, after line 11, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) Notwithstanding § 12–1705 of the Alcoholic Beverages and Cannabis Article, a Class D 6–day beer, wine, and liquor license issued for a premises on the 200 block of East Lexington Street shall be considered unexpired until the end of June 30, 2026, for the purpose of completing a transfer of ownership at the same location, provided the license holder received a letter of support from the Downtown Partnership of Baltimore.

(b) (1) Notwithstanding §§ 12-1703 and 12–1705 of the Alcoholic Beverages and Cannabis Article, five Class B beer, wine, and liquor licenses issued for restaurant premises at Harborplace and expired between January 1, 2021, and January 1, 2025, shall be considered unexpired until the end of June 30, 2030, for the purpose of completing a transfer of ownership at the same location.

(2) Notwithstanding § 12–1703 of the Alcoholic Beverages and Cannabis Article, the most recent license holder shall retain liability for any unpaid personal property taxes due to Baltimore City or to the State.

(3) The Board may not:

(i) require a Class B beer, wine, and liquor license issued under this subsection:

1. to have a minimum capital investment; or
2. to maintain a minimum or maximum seating amount;

(ii) authorize the transfer of a license issued under this subsection to another location; and

(Over)

(iii) require the most recent license holder to complete a Transfer Authorization or Affidavit of Compliance to complete a transfer of ownership in accordance with this subsection.

(4) At the end of June 30, 2030, a Class B beer, wine, and liquor license issued under this subsection shall expire and be nonrenewable.”;

in line 12, strike “2.” and substitute “3.”; and in line 13, after “2025.” insert “Section 2 of this Act shall remain effective for a period of 5 years and 1 month and, at the end of June 30, 2030, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.