

HB1474/533728/1

BY: Government, Labor, and Elections Committee

AMENDMENTS TO HOUSE BILL 1474
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**Delegate Ebersole**” and substitute “**Baltimore County Delegation**”; in line 6, after “County;” insert “requiring certain Class B beer, wine, and liquor licenses in existence on a certain date to be converted into certain Class B hotel and restaurant licenses before a certain date;”; in line 15, strike “13-1604(f)” and substitute “13-1604(c)(6) and (f)”; and after line 17, insert:

“BY repealing

Article - Alcoholic Beverages and Cannabis

Section 13-1705, 13-1706, 13-1707, and 13-1709

Annotated Code of Maryland

(2024 Replacement Volume and 2025 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 19, insert:

“(c) (6) A [Class B or D license transferred under subsection (b) of this section or a] Class B Service Bar (SB) license issued under this subsection may not thereafter be transferred from the licensed premises or converted to another class of license.”.

On page 3, after line 4, insert:

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

Article – Alcoholic Beverages and Cannabis

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[13-1705.

(a) (1) Notwithstanding the license population quota limitations established by the Board and in addition to the licenses authorized for issuance in the county, the Board may authorize the transfer into the Towson Commercial Revitalization District, as defined by the Baltimore County Council, of not more than 10 beer, wine, and liquor (on-sale) licenses that:

(i) were issued on or before December 31, 2008;

(ii) were in existence in Election District 15 of the county on June 1, 2009; and

(iii) are valid on the date of transfer.

(2) To be transferred under this section, a license:

(i) shall be a Class B or a Class D license; and

(ii) may not be a license that is prohibited from being transferred by statute or regulation.

(3) For determining the total number of licenses available in an election district, the Board shall consider a license transferred under this section to be a regular license and not an exception to the population and numerical limitations specified in “Rule 19 – Population and Numerical Limitations” of the Rules and Regulations of the Board.

(4) On the date of transfer, a license transferred under this section shall be converted into a Class B beer, wine, and liquor (Towson Commercial Revitalization

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District) license and may not be counted toward any population limit existing in the election district from where it was transferred.

(b) Except as provided in subsection (c) of this section, the license issuance requirements, license fee, minimum square foot area requirement for food and beverage preparation and consumption, and days and hours of sale for a Class B beer, wine, and liquor (Towson Commercial Revitalization District) (on-sale) license are the same as those for a Class B beer, wine, and liquor (on-sale) hotel and restaurant license.

(c) (1) A Class B beer, wine, and liquor (Towson Commercial Revitalization District) license may be issued only for a location within the Towson Commercial Revitalization District, as defined by the Baltimore County Council.

(2) The license shall be used in conjunction with the operation of a restaurant, as defined in this article and in the regulations of the Board.

(3) The restaurant operation shall maintain average daily receipts from the sale of food of at least 60% of the total daily receipts of the restaurant.

(4) The seating capacity for the bar area may not exceed 25% of the total seating capacity of the restaurant.

(5) Except as provided in subsection (d)(2)(ii) of this section, the area dedicated to the restaurant operation shall have a minimum seating capacity of 100 individuals.

(6) The hours during which the privileges conferred by the license may be exercised may not exceed the hours during which food is offered for sale.

(7) The license does not confer an off-sale privilege.

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(d) Of the restaurants for which a Class B or Class D license may be transferred and a Class B beer, wine, and liquor (Towson Commercial Revitalization District) license may be issued under subsection (a)(1) of this section, the Board may require that:

(1) for not more than seven restaurants, applicants for license transfer and issuance demonstrate a minimum capital investment, excluding the costs of the land and building shell, of \$500,000; and

(2) for not more than three restaurants:

(i) applicants for license transfer and issuance demonstrate a capital investment, excluding the costs of the land and building shell, of not less than \$50,000 or more than \$400,000; and

(ii) the area dedicated to the restaurant operation have:

1. a maximum seating capacity of 100 individuals, with the seating capacity in the bar area not exceeding 25% of the total seating capacity of the restaurant; and

2. a minimum seating capacity of 40 individuals.

(e) The Board shall deny an application for transfer of a Class B or Class D license and issuance of a Class B beer, wine, and liquor (Towson Commercial Revitalization District) license if within 2 years immediately preceding the application:

(1) (i) the applicant was a holder of an on-sale license within the boundaries of the Towson Commercial Revitalization District; or

(ii) there was an on-sale license in existence for the proposed premises of the applicant; and

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(2) the previous on-sale license was transferred to premises outside the Towson Commercial Revitalization District.

(f) A Class B beer, wine, and liquor (Towson Commercial Revitalization District) license issued under this section may not be transferred from the Towson Commercial Revitalization District or be converted into any other class of license.]

[13-1706.

(a) (1) Notwithstanding the license population quota limitations established by the Board and in addition to the licenses authorized for issuance in the county, the Board may authorize the transfer into the “Hunt Valley Commercial/Mixed Use Focal Point” as designated in the Hunt Valley/Timonium Master Plan, adopted by the Baltimore County Council on October 19, 1998, of two beer, wine, and liquor (on-sale) retail licenses that:

(i) were in existence in Election District 15 on July 1, 2004; and

(ii) are valid on the date of transfer.

(2) A license transferred under this section:

(i) may not be a Class A or C license or a license that is prohibited from being transferred by law or local regulation other than crossing district lines;

(ii) shall be converted into a Class B (HV) license; and

(iii) as of the date of transfer, may not be counted toward any population limit existing in Election District 15.

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(3) For determining the total number of licenses available in an election district, the Board shall consider a license transferred under this section to be a regular license and not an exception to the population and numerical limitations specified in “Rule 19 – Population and Numerical Limitations” of the Rules and Regulations of the Board.

(b) Except as provided in subsection (c) of this section, the license issuance requirements, license fee, minimum square foot area requirement for food and beverage preparation and consumption, and days and hours of sale for a Class B (HV) restaurant (on-sale) beer, wine, and liquor license are the same as those provided for in this article and in the regulations of the Board for a Class B beer, wine, and liquor (on-sale) hotel and restaurant license.

(c) (1) A Class B (HV) restaurant (on-sale) beer, wine, and liquor retail license may be issued only for a location within the “Hunt Valley Commercial/Mixed Use Focal Point” as designated in the Hunt Valley/Timonium Master Plan, adopted by the Baltimore County Council on October 19, 1998.

(2) The license shall be used in conjunction with the operation of a restaurant, as defined in this article and the regulations of the Board.

(3) The restaurant operation shall maintain average daily receipts from the sale of food of at least 60% of the total daily receipts of the establishment.

(4) The total seating capacity for the area dedicated primarily for the consumption of alcoholic beverages may not exceed 25% of the total seating capacity of the establishment.

(5) Subject to subsection (d)(5) of this section, the hours during which the privileges conferred by the license may be exercised may not exceed the hours for which food is offered for sale.

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(d) (1) The Class B (HV) restaurant beer, wine, and liquor license authorizes on-premises consumption.

(2) Once issued, the license may not be:

(i) transferred to a new location other than the original location for which the license was issued; or

(ii) converted into any other class of license.

(3) Paragraph (2) of this subsection does not prohibit the transfer of ownership of the license.

(4) The premises shall comply with all applicable zoning regulations.

(5) Alcoholic beverages may be sold in the establishment only until 1:30 a.m.

(e) The Board may not issue more than a total of three beer, wine, and liquor licenses in the “Hunt Valley Commercial/Mixed Use Focal Point” under the exceptions in “Rule 19 – Population and Numerical Limitations” of the Rules and Regulations of the Board.]

[13-1707.

(a) (1) Notwithstanding the license population quota limitations established by the Board and in addition to the licenses authorized for issuance in the county, the Board may authorize the transfer of the number of Class B and Class D beer, wine, and liquor (on-sale) retail licenses in existence in Election District 15 on January 15, 2005, and valid on the date of transfer, in accordance with the following schedule:

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(i) two to the Quarry at Greenspring, to be known as (QG) licenses, on or after April 1, 2005, located at lots 1 through 9, inclusive, identified on the plat of Greenspring Quarry, areas F, G, and K, dated December 21, 2004, and delivered to the county for recording on December 29, 2004;

(ii) three to the area of State-owned land adjacent to and abutting the Owings Mills Metro Station, governed by a master development agreement creating the Metro Center at Owings Mills, to be known as (MCOM) licenses, on or after October 1, 2005; and

(iii) three to the Promenade at Catonsville, to be known as (PC) licenses, on or after April 1, 2006, located at and identified by the State Department of Assessments and Taxation map 101, parcels 132, 516, 1088, 1344, 1804, and 1985.

(2) A license transferred from Election District 15 under this section:

(i) may not be a Class A or Class C license or a license that is prohibited from being transferred by law or local regulation other than the prohibition against crossing district lines;

(ii) for determining the total number of licenses available in an election district, shall be considered to be a regular license in its new location and not an exception to the population and numerical limitations specified in “Rule 19 – Population and Numerical Limitations” of the Rules and Regulations of the Board;

(iii) shall be converted into a Class B (QG), (MCOM), or (PC) license; and

(iv) as of the date of transfer, may not be counted toward any population limit existing in Election District 15.

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(b) Except as provided in subsection (c) of this section, the license issuance and renewal requirements, minimum square foot area requirement for food and beverage preparation and consumption, and days and hours of sale for a Class B (QG), (MCOM), or (PC) restaurant (on-sale) beer, wine, and liquor retail license are the same as those provided for in this article and in the regulations of the Board for a Class B beer, wine, and liquor (on-sale) hotel and restaurant license.

(c) (1) A Class B (QG), (MCOM), or (PC) restaurant (on-sale) beer, wine, and liquor retail license may be issued only for a location within the geographic areas identified in subsection (a)(1) of this section.

(2) The license shall be used in conjunction with the operation of a restaurant, as defined in this article and the regulations of the Board.

(3) The restaurant operation shall maintain average daily receipts from the sale of food of at least 60% of the total daily receipts of the establishment.

(4) The total seating capacity for the area dedicated primarily for the consumption of alcoholic beverages may not exceed 25% of the total seating capacity of the establishment.

(5) Subject to subsection (d)(5) of this section, the hours during which the privileges conferred by the license may be exercised may not exceed the hours for which food is offered for sale.

(d) (1) A Class B (QG), (MCOM), or (PC) restaurant (on-sale) beer, wine, and liquor retail license authorizes on-premises consumption.

(2) Once issued, the license may not be:

(i) transferred to a new location outside the geographic area, as defined in subsection (a)(1) of this section, for which the license was issued; or

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(ii) converted into any other class of license.

(3) Paragraph (2) of this subsection does not prohibit the transfer of:

(i) the ownership of a license; or

(ii) the location of a licensed establishment within the geographic area as defined in subsection (a)(1) of this section.

(4) The premises shall comply with all applicable zoning regulations.

(5) Alcoholic beverages may be sold in the establishment only until 1:30 a.m.]

[13–1709.

(a) (1) Notwithstanding any license quota limitation established by the Board and in addition to the licenses authorized for issuance in the county, the Board may authorize the transfer of one Class B or Class D beer, wine, and liquor license in existence in Election District 15 on January 15, 2016, and valid on the date of transfer, to a location that is:

(i) at 2200 York Road and surrounding grounds in Election District 8; and

(ii) owned by the Maryland State Fair and Agricultural Society, Inc.

(2) A license transferred under this section:

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(i) may not be a license that is prohibited from being transferred by law or Board regulation, other than a prohibition against crossing district lines;

(ii) for determining the total number of licenses available in Election District 8, shall be considered to be a regular license and not an exception to the population and numerical limitations specified in “Rule 19 – Population and Numerical Limitations” of the Rules and Regulations of the Board;

(iii) shall be converted into a Class B (MSF)(on-sale) beer, wine, and liquor license; and

(iv) as of the date of transfer, may not be counted toward any population limit existing in Election District 15.

(b) The issuance and renewal requirements, minimum square foot area requirement for food and beverage preparation and consumption, and hours and days of sale for the Class B (MSF) license are the same as those provided for a Class B beer, wine, and liquor (on-sale) hotel and restaurant license.

(c) (1) The Class B (MSF) license may not be:

(i) transferred to a location outside the area for which the license was issued; or

(ii) converted into another class of license.

(2) The location for the Class B (MSF) license shall comply with all applicable zoning regulations.]

SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding any license population quota limitation established by the Board of License Commissioners for Baltimore County, the following Class B beer, wine, and liquor licenses in existence

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on July 1, 2026, shall be converted into Class B hotel and restaurant licenses under § 13-902 of the Alcoholic Beverages and Cannabis Article:

(1) Class B (Towson Commercial Revitalization District) licenses under § 13-1705 of the Alcoholic Beverages and Cannabis Article;

(2) Class B (HV) restaurant (on-sale) licenses under § 13-1706 of the Alcoholic Beverages and Cannabis Article;

(3) Class B (QG), (MCOM), or (PC) restaurant (on-sale) licenses under § 13-1707 of the Alcoholic Beverages and Cannabis Article;

(4) Class B (MSF) (on-sale) licenses under § 13-1709 of the Alcoholic Beverages and Cannabis Article;

(5) Class B (OMTC) (on-sale) licenses established under Chapter 423 of the Acts of the General Assembly of 1996; and

(6) Class B (TRD) restaurant (on-sale) licenses established under Chapter 365 of the Acts of the General Assembly of 2003.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect October 1, 2026.”;

in line 5, strike “2.” and substitute “5.”; and in the same line, after “That” insert “, except as provided in Section 4 of this Act.”.