

HB0998/243120/1

BY: Senator Hayes

AMENDMENTS TO HOUSE BILL 998
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first “of” insert “authorizing the Board of License Commissioners for Baltimore City to issue a Class 7 micro–brewery license to the holder of a Class B–D–7 license in the 46th alcoholic beverages district, subject to a certain limitation; requiring the Board to establish a standard template for certain memoranda of understanding by a certain date;”; in the same line, strike “of License Commissioners for Baltimore City”; in line 5, after “district;” insert “authorizing certain holders of certain Class D licenses in the 46th alcoholic beverages district to apply for a 7–day sales privilege under certain circumstances; requiring the Board to adopt regulations establishing certain tiered penalties for license violations;”; in line 8, strike “an”; in line 9, strike “license” and substitute “licenses”; in the same line, strike “a”; in the same line, strike “area” and substitute “locations”; after line 15, insert:

“BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages and Cannabis

Section 12–403

Annotated Code of Maryland

(2024 Replacement Volume and 2025 Supplement)”;

and in line 18, strike “12–1604(k)” and substitute “12–1408, 12–1604(k), 12–1604.2, and 12–2802(g)”.

AMENDMENT NO. 2

On page 2, after line 3, insert:

“12–403.

(a) This section applies to a Class 7 micro–brewery license in the City.

(b) **(1)** The license may be issued only to the holder of:

[(1)] (I) a Class B beer, wine, and liquor (on–sale) license that is issued for use on the premises of a restaurant located in the City; or

[(2)] (II) **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,** a Class **[D] B–D–7** alcoholic beverages license that is issued for use on the premises of the existing Class **[D] B–D–7** license located in the **[40th] 46TH** alcoholic beverages district of the City.

(2) **THE BOARD MAY ISSUE A LICENSE UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION IF THE HOLDER OF THE CLASS B–D–7 LICENSE RECEIVES A LETTER OF SUPPORT FROM THE RIDGELY’S DELIGHT ASSOCIATION.**

(c) **(1)** Subject to paragraphs (2), (3), and (4) of this subsection, the holder of a Class 7 micro–brewery license may:

(i) brew in two locations using the same Class 7 micro–brewery license; and

(ii) obtain a Class 2 rectifying license for the premises at the two locations authorized under item (i) of this paragraph.

(2) The holder of a Class 7 micro–brewery license may brew in two locations using the same Class 7 micro–brewery license if the license holder:

(i) requests permission by submitting a written application to the Executive Director; and

(ii) obtains written approval from the Executive Director.

(3) Before authorizing a holder of a Class 7 micro-brewery license to brew in two locations using the same Class 7 micro-brewery license, the Executive Director shall:

(i) make a determination that a second location to brew additional capacity is necessary due to insufficient space at the existing Class 7 license location; and

(ii) consider any other factor relevant to approval of the application.

(4) Notwithstanding any other provision of this article, a holder of a Class 7 micro-brewery license may not serve or sell beer for on- or off-premises consumption at the second brewing location authorized under this subsection.

12-1408.

(A) (1) ON OR BEFORE JANUARY 1, 2027, THE BOARD SHALL ESTABLISH A STANDARD TEMPLATE FOR MEMORANDA OF UNDERSTANDING BETWEEN APPLICANTS FOR ALCOHOLIC BEVERAGES LICENSES AND LOCAL NEIGHBORHOOD ASSOCIATIONS IN ACCORDANCE WITH THIS TITLE.

(2) INDIVIDUAL NEIGHBORHOOD ASSOCIATIONS MAY INCLUDE ADDITIONAL INFORMATION ON THE STANDARD TEMPLATE ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(B) IF AN APPLICANT FOR THE ISSUANCE OF A NEW, TRANSFERRED, OR EXPANDED ALCOHOLIC BEVERAGES LICENSE IS REQUIRED TO SUBMIT A MEMORANDUM OF UNDERSTANDING, THE BOARD MAY NOT CONSIDER THE

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APPLICATION TO BE COMPLETE UNLESS A COMPLETED MEMORANDUM OF UNDERSTANDING IS INCLUDED WITH THE APPLICATION.”;

after line 11, insert:

“12-1604.2.

(A) THIS SECTION APPLIES ONLY TO A HOLDER OF A CLASS D LICENSE FOR USE IN THE 46TH ALCOHOLIC BEVERAGES DISTRICT.

(B) (1) NOTWITHSTANDING § 12-2004(F) OF THIS TITLE, A HOLDER OF A VALID CLASS D LICENSE MAY APPLY TO THE BOARD TO SELL ALCOHOLIC BEVERAGES MONDAY THROUGH SUNDAY IF THE LICENSE HOLDER:

(I) MAINTAINS AVERAGE DAILY RECEIPTS FROM THE SALE OF FOOD THAT ARE AT LEAST 51% OF THE TOTAL DAILY RECEIPTS FROM THE ESTABLISHMENT;

(II) EXECUTES A MEMORANDUM OF UNDERSTANDING WITH THE RELEVANT LOCAL NEIGHBORHOOD ASSOCIATION AS DETERMINED BY THE BOARD;

(III) OPERATES AN ESTABLISHMENT WITH NOT MORE THAN 100 SEATS; AND

(IV) PAYS A ONE-TIME FEE OF \$15,000, IN ADDITION TO ANNUAL RENEWAL FEES ASSOCIATED WITH THE CLASS D LICENSE.

(2) (I) A CLASS D LICENSE THAT IS GRANTED A 7-DAY PRIVILEGE UNDER THIS SUBSECTION MAY NOT BE TRANSFERRED TO A NEW LOCATION.

(II) A NEW HOLDER OF A CLASS D LICENSE THAT IS GRANTED A 7-DAY PRIVILEGE UNDER THIS SUBSECTION MUST COMPLY WITH THE REQUIREMENTS OF THIS SUBSECTION.

(C) THE BOARD SHALL USE THE ONE-TIME FEE PAID BY THE LICENSE HOLDER UNDER SUBSECTION (B)(1)(IV) OF THIS SECTION FOR ENFORCEMENT OF THE MEMORANDUM OF UNDERSTANDING REQUIRED UNDER SUBSECTION (B)(1)(II) OF THIS SECTION.

12-2802.

(G) THE BOARD SHALL ADOPT REGULATIONS THAT ESTABLISH TIERED PENALTIES FOR VIOLATIONS UNDER THIS TITLE, INCLUDING THE REVOCATION OF A 7-DAY SALES PRIVILEGE GRANTED UNDER § 12-1604.2 OF THIS TITLE IF THE LICENSEE VIOLATES THE PROVISIONS OF THE REQUIRED MEMORANDUM OF UNDERSTANDING THREE OR MORE TIMES WITHIN A 2-YEAR PERIOD.”;

and in line 25, strike “, notwithstanding” and substitute “;

(a) Notwithstanding § 12-1705 of the Alcoholic Beverages and Cannabis Article, a Class D beer and wine license issued for a premises in the 800 block of St. Paul Street shall be considered unexpired until July 1, 2027, for the purpose of completing a transfer of ownership at the same location.

(b) Notwithstanding § 12-2202 of the Alcoholic Beverages and Cannabis Article, a Class B beer, wine, and liquor license issued for a premises in the 6500 block

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of Eastern Avenue shall be considered unexpired until the end of July 1, 2027, for the purpose of being renewed to the current license year by the licensee.

(c) Notwithstanding".