

**SB 965.HB 1423. FINAL.pdf**

Uploaded by: Danielle Mitchell

Position: FWA



# Charles County Government

## CHARLES COUNTY COMMISSIONERS

Reuben B. Collins, II, Esq., *President*  
Bobby Rucci, *Vice President*  
Gilbert O. Bowling, III  
Thomasina O. Coates, M.S.  
Amanda M. Stewart, M.Ed.

Mark Belton  
*County Administrator*

March 14, 2022

Bill: SB 965/ HB 1423 Charles County - Alcoholic Beverages - Multiple Class B Licenses  
Committee: Senate - Education, Health, and Environmental Affairs  
House - Economic Matters  
Position: FAVORABLE WITH AMENDMENTS

Dear Chairman Pinsky, Vice Chairwoman Kagan, and Members:

On behalf of the County Commissioners for Charles County, it is our sincere pleasure to support passage of SB 965/ HB 1423 Charles County - Alcoholic Beverages - Multiple Class B Licenses.

SB 965/ HB 1423 authorizes the Board of License Commissioners for Charles County to allow a person to obtain an interest in no more than two (2) alcoholic beverage licenses for restaurants, restaurants with a bar, and hotels in Charles County. Currently, a person can only have an interest in one (1) alcoholic beverage license. This bill does not impact license limitations for off-sale (i.e. liquor store) license holders. With the passage of SB 965/ HB 1423, Charles County will join several other counties in Maryland, to include Anne Arundel, Baltimore, Hartford, Howard, and Montgomery, that already permit license holders of certain on-sale licenses to hold multiple licenses.

Currently, only license holders of a B-BLX license in Charles County are permitted to have more than one license. To be eligible for the Class B-BLX license, a license holder must have a capital investment of at least \$550,000 and seating for at least 150 people. Because of these requirements, most small businesses do not qualify, and Class B- BLX licenses are generally only held by chain restaurants. Passage of SB 965/ HB 1423 will provide the same opportunity to small businesses that is currently afforded to larger restaurateurs within Charles County.

We are supportive of the changes recommended by the Maryland State Licensed Beverage Association, that will alter the wording of the bill to be consistent with the multiple licensing provisions of other jurisdictions, while maintaining the intent and substance of SB 965/ HB 1423. The changes are enclosed for your consideration.

We encourage a favorable committee report on SB 965/ HB 1423. Thank you for the opportunity to provide our full support.

Sincerely,

A blue ink signature of Reuben B. Collins, II, Esq., written in a cursive style.

County Commissioners of Charles County  
Reuben B. Collins, II, Esq., President

cc: Charles County Delegation

# SENATE BILL 965

A2

2lr3040  
CF HB 1423

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By: **Senator Jackson**

Introduced and read first time: February 15, 2022

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **Charles County – Alcoholic Beverages – Multiple Class B Licenses**

3 FOR the purpose of authorizing the Board of License Commissioners for Charles County to  
4 allow a person to obtain a direct or indirect interest in, in addition to certain other  
5 licenses, not more than a certain number of Class B–H (hotel), Class B–R  
6 (restaurant), or Class B–RB (restaurant/bar) on–sale beer, wine, and liquor licenses;  
7 and generally relating to alcoholic beverages licenses in Charles County.

8 BY repealing and reenacting, without amendments,

9 Article – Alcoholic Beverages

10 Section 18–102

11 Annotated Code of Maryland

12 (2016 Volume and 2021 Supplement)

13 BY adding to

14 Article – Alcoholic Beverages

15 Section 18–1606

16 Annotated Code of Maryland

17 (2016 Volume and 2021 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**

21 18–102.

22 This title applies only in Charles County.

23 **18–1606.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.

**\*sb0965\***

1 (A) ~~THE BOARD MAY ALLOW A PERSON TO OBTAIN~~ MAY NOT HAVE A DIRECT  
 OR INDIRECT  
~~2 INTEREST IN, IN ADDITION TO ONE OR MORE LICENSES ISSUED IN ANOTHER~~  
 3 ~~JURISDICTION OR STATE, NOT MORE THAN TWO~~ OF THE FOLLOWING LICENSES IN  
ANY COMBINATION:

4 (1) CLASS B-H (HOTEL) ON-SALE BEER, WINE, AND LIQUOR  
 5 LICENSES ISSUED UNDER § 18-902 OF THIS TITLE;

6 (2) CLASS B-R (RESTAURANT) ON-SALE BEER, WINE, AND LIQUOR  
 7 LICENSES ISSUED UNDER § 18-904 OF THIS TITLE; OR

8 (3) CLASS B-RB (RESTAURANT/BAR) ON-SALE BEER, WINE, AND  
 9 LIQUOR LICENSES ISSUED UNDER § 18-905 OF THIS TITLE.

10 (B) AN INDIRECT INTEREST IS PRESUMED TO EXIST BETWEEN ANY  
 11 COMBINATION OF PERSONS IF ANY OF THE FOLLOWING CONDITIONS EXIST  
 12 BETWEEN THEM:

13 (1) A COMMON PARENT COMPANY;

14 (2) A FRANCHISE AGREEMENT;

15 (3) A LICENSING AGREEMENT;

16 (4) A CONCESSION AGREEMENT;

17 (5) DUAL MEMBERSHIP IN A CHAIN OF BUSINESSES COMMONLY  
 18 OWNED AND OPERATED;

19 (6) A SHARING OF DIRECTORS, STOCKHOLDERS, PARTNERS, OR  
 20 MEMBERS, OR A SHARING OF DIRECTORS, STOCKHOLDERS, PARTNERS, OR  
 21 MEMBERS OF PARENTS OR SUBSIDIARIES;

22 (7) COMMON DIRECT OR INDIRECT SHARING OF PROFIT FROM THE  
 23 SALE OF ALCOHOLIC BEVERAGES; OR

24 (8) A SHARING OF A COMMON TRADE NAME, TRADEMARK, LOGO, OR  
 25 THEME OR MODE OF OPERATION IDENTIFIABLE BY THE PUBLIC.

~~26 (C) A SECOND OR SUBSEQUENT LICENSE DESCRIBED IN SUBSECTION (A) OF~~  
~~27 THIS SECTION DOES NOT CONFER AN OFF-SALE PRIVILEGE.~~

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 29

1, 2022.

# **JacksonSB965Testimony.pdf**

Uploaded by: Michael Jackson

Position: FWA

**MICHAEL A. JACKSON**  
*Legislative District 27*  
Calvert, Charles and  
Prince George's Counties



*Annapolis Office*  
Miller Senate Office Building  
11 Bladen Street, Suite 3 West  
Annapolis, Maryland 21401  
410-841-3700 · 301-858-3700  
800-492-7122 Ext. 3700  
Michael.Jackson@senate.state.md.us

Budget and Taxation Committee

*Subcommittees*

Pensions

Public Safety, Transportation, and  
Environment

**THE SENATE OF MARYLAND**  
ANNAPOLIS, MARYLAND 21401

*District Office*  
250 Merrimac Court  
Prince Frederick, Maryland 20678

***TESTIMONY - SENATE BILL 965***

***CHARLES COUNTY – ALCOHOLIC BEVERAGES – MULTIPLE  
CLASS B LICENSES***

***EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS  
COMMITTEE***

***MARCH 15, 2022***

Chair Pinsky, Vice Chair Kagan, and Members of the Committee:

Senate Bill 965 is a straightforward bill that modifies the Charles County multiple licensing plan law to permit certain Charles County Class B License types to increase the number of alcoholic beverage licenses held by a single individual within the Charles County limits from one license to two licenses.

This legislation comes at the request of Charles County government and is intended to provide the same opportunity to smaller businesses that currently exists for larger entities within Charles County. Currently, the only license type that allows for a licensee to have more than one license is a Class B-BLX license of which up to six licenses can be issued to the same alcoholic beverage license holder. To be eligible for the Class B-BLX license, a licensee must have a capital investment of at least \$550,000 (not including land/buildings) and seating for at least 150 people. Because of these requirements, most small businesses do not qualify, and Class B- BLX licenses are generally only held by chain restaurants.

This is simple piece of legislation designed only to level the playing field for small business owners in Charles County.

**For the reasons listed above, I ask for a favorable report of Senate Bill 965.**

# **SB965Amendment.pdf**

Uploaded by: Michael Jackson

Position: FWA





SB0965/743921/1

AMENDMENTS  
PREPARED  
BY THE  
DEPT. OF LEGISLATIVE  
SERVICES

14 MAR 22  
16:29:56

BY: Senator Jackson

(To be offered in the Education, Health, and Environmental  
Affairs Committee)

AMENDMENTS TO SENATE BILL 965

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “authorizing” in line 3 down through “allow” in line 4 and substitute “prohibiting”; in line 4, strike “to obtain” and substitute “from having”; in lines 4 and 5, strike “, in addition to certain other licenses, not”; in line 6, strike “or” and substitute “and”; and in the same line, after “licenses” insert “in any combination in Charles County”.

AMENDMENT NO. 2

On page 2, in line 1, strike “**THE BOARD MAY ALLOW A**” and substitute “**A**”; in the same line, strike “**TO OBTAIN**” and substitute “**MAY NOT HAVE**”; strike beginning with the comma in line 2 down through “**NOT**” in line 3; in line 3, after “**TWO**” insert “**OF THE FOLLOWING LICENSES IN ANY COMBINATION**”; in line 7, strike “**OR**” and substitute “**AND**”; and strike in their entirety lines 26 and 27.

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Uploaded by: Reuben Collins

Position: FWA



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