



Charles County Government

CHARLES COUNTY COMMISSIONERS

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April 1, 2022

Bill: HB1116 – Charles County - Alcoholic Beverages - Abeyance of License
Committee: House – Economic Matters
Senate – Education, Health, and Environmental Affairs
Position: FAVORABLE WITH AMENDMENTS

Dear Chairman Pinsky, Vice Chairman Kagan, and Members:

The Charles County Commissioners are seeking your support of the above-entitled HB 1116. HB 1116 seeks to delay the effects of the off-sale quota provisions found in the Charles County title of the Alcoholic Beverages Article (§18-1601), to allow the Board of License Commissioners (Liquor Board) the ability to issue a recently revoked or relinquished alcoholic beverage license that would otherwise be unavailable for reissuance due to the quota limitations. HB 1116 would give the Liquor Board the ability to issue a license within one year of a relinquishment or revocation in an election district that would otherwise not have a license available for issuance due to the quota limitations of §18-1601.

The proposed amendments are recommended by our Liquor Board to allow this new policy to be limited to our more rural election districts, where the population is less than 6,750 residents. These areas have been identified by the Board as being more affected by the closure of an off-sale retailer because of the inconvenience to residents that must travel a significant distance to a remaining retailer. Additionally, by limiting the effect of the new law to election districts with less than 6,750 residents, we ensure our election districts that are more heavily saturated with off-sale retailers will continue to be limited by the quota provision without exception.

We appreciate the opportunity to provide our enthusiastic support for HB 1116.

Sincerely,

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

HOUSE BILL 1116

A2

2lr1734
CF 2lr1736

By: **Charles County Delegation**

Introduced and read first time: February 11, 2022

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Charles County – Alcoholic Beverages – Abeyance of License**

3 FOR the purpose of authorizing the Board of License Commissioners of Charles County to
4 hold a certain license in abeyance until the earlier of the date the Board issues the
5 license to a new license holder or for a certain period of time; providing that a certain
6 license is considered extinguished under certain circumstances; and generally
7 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 repealing and reenacting, with amendments,
14 Article – Alcoholic Beverages
15 Section 18–1601 and 18–2101
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 18–1601.

1 (a) (1) (i) Except as provided in subparagraph (ii) of this paragraph, the
 2 Board may not issue more than one of any license with an off-sale privilege for every 1,350
 3 residents in an election district in the county, as determined by the latest federal census.

4 (ii) In the sixth election district, the Board may not issue more than
 5 one of any license with an off-sale privilege for every 2,700 residents in the election district,
 6 as determined by the latest federal census.

7 (2) The Board may not approve the transfer of a license issued under
 8 paragraph (1) of this subsection from one election district to another.

9 (3) The Board may not issue a new license in an election district unless the
 10 issue may be made without exceeding the quotas provided for in paragraph (1) of this
 11 subsection.

12 (b) (1) This section does not require the forfeiture or revocation of a license in
 13 effect on October 1, 1992.

14 (2) In an election district in which a quota established in subsection (a)(1)
 15 of this section was exceeded as of October 1, 1992, the total number of licenses may be
 16 reduced only:

17 (i) by the voluntary relinquishment of a license by the license
 18 holder;

19 (ii) by the bankruptcy of the license holder; or

20 (iii) in accordance with another provision of this article.

21 (c) (1) **NOTWITHSTANDING THE LICENSE QUOTA LIMITATIONS**
 22 **ESTABLISHED IN SUBSECTION (A) OF THIS SECTION,**
WHEN A LICENSE ISSUED IN AN ELECTION DISTRICT WITH
FEWER THAN 6,750 RESIDENTS IS RELINQUISHED BY A LICENSE
HOLDER OR REVOKED BY THE BOARD, THE BOARD MAY ISSUE A
NEW LICENSE TO A QUALIFYING APPLICANT IN THE SAME
ELECTION DISTRICT WITHIN 1 YEAR FROM THE DATE A LICENSE
IS RELINQUISHED OR REVOKED.

25 ~~(I) THE DATE THE BOARD ISSUES THE LICENSE TO A NEW~~
 26 ~~LICENSE HOLDER IN THE SAME ELECTION DISTRICT; OR~~

27 ~~(II) 1 YEAR.~~

28 (2) **IF THE BOARD DOES NOT ISSUE A NEW LICENSE TO A QUALIFYING**
APPLICANT WITHIN 1 YEAR AFTER THE DATE THE LICENSE IS
RELINQUISHED OR REVOKED, THE LICENSE SHALL BE
CONSIDERED EXTINGUISHED AND QUOTA LIMITATIONS

ESTABLISHED BY SUBSECTION (A) OF THIS SECTION SHALL BE IMPOSED WITHOUT EXCEPTION.

18-2101.

and
1 Suspension of Local Licenses”) of Division I of this article applies in the county without
2 exception or variation:

3 (1) § 4-602 (“POWER OF LOCAL LICENSING BOARD”);

4 (2) § 4-603 (“REVOCATION AND SUSPENSION PROCEDURES”);

5 (3) § 4-604 (“GROUNDS FOR REVOCATION OR SUSPENSION”); AND

6 (4) § 4-605 (“NUDITY AND SEXUAL DISPLAYS”).

7 (B) § 4-606 (“EFFECTS OF REVOCATION”) OF DIVISION I OF THIS ARTICLE
8 APPLIES IN THE COUNTY, SUBJECT TO § 18-1601(C) OF THIS TITLE.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 10
1, 2022.