

HOUSE BILL 1325

A2

8lr1062

By: **Howard County Delegation**

Introduced and read first time: February 9, 2018

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Howard County – Alcoholic Beverages – Class C License and Class C and D Per**
3 **Diem Entertainment Venue License**

4 **Ho. Co. 20–18**

5 FOR the purpose of establishing a Class C beer, wine, and liquor license in Howard County;
6 specifying that the license authorizes the license holder to sell beer, wine, and liquor
7 at retail for on–premises consumption at the place described in the license and for
8 off–premises sale and consumption under certain circumstances; authorizing beer,
9 wine, or liquor purchased on an adjacent licensed premises to be consumed on the
10 premises for which the Class C beer, wine, and liquor license is issued; providing for
11 the hours of sale; requiring the Board of License Commissioners to determine the
12 annual license fee; establishing Class C and Class D per diem entertainment venue
13 beer, wine, and liquor licenses; specifying that the Class C and Class D per diem
14 entertainment venue beer, wine, and liquor licenses authorize the license holder to
15 sell beer, wine, and liquor on an immediately adjacent licensed premises for
16 consumption on the premises of the holder of the per diem license and on the adjacent
17 licensed premises; requiring the property owner of the adjacent licensed premises to
18 provide the Board with a statement authorizing the use of a licensed premises;
19 requiring the Board to determine the per diem license fee; defining a certain term;
20 and generally relating to alcoholic beverages in Howard County.

21 BY repealing and reenacting, without amendments,
22 Article – Alcoholic Beverages
23 Section 23–102
24 Annotated Code of Maryland
25 (2016 Volume and 2017 Supplement)

26 BY adding to
27 Article – Alcoholic Beverages
28 Section 23–904, 23–1313, and 23–1314

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Annotated Code of Maryland
(2016 Volume and 2017 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Alcoholic Beverages

23–102.

This title applies only in Howard County.

23–904.

(A) THERE IS A CLASS C BEER, WINE, AND LIQUOR LICENSE.

**(B) (1) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL BEER,
WINE, AND LIQUOR AT RETAIL:**

**(I) FOR ON–PREMISES CONSUMPTION AT THE PLACE
DESCRIBED IN THE LICENSE; AND**

**(II) FOR OFF–PREMISES SALE AND CONSUMPTION ONLY ON AN
ADJACENT LICENSED PREMISES THAT IS AT LEAST 200,000 SQUARE FEET IN SIZE, IF
THE PROPERTY OWNER OF THE ADJACENT LICENSED PREMISES HAS PROVIDED
WRITTEN AUTHORIZATION TO THE BOARD.**

**(2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II), BEER, WINE,
OR LIQUOR PURCHASED ON AN ADJACENT LICENSED PREMISES MAY BE CONSUMED
ON THE PREMISES FOR WHICH THE CLASS C BEER, WINE, AND LIQUOR LICENSE IS
ISSUED.**

**(II) BEER, WINE, OR LIQUOR PURCHASED ON AN ADJACENT
LICENSED PREMISES MAY NOT BE CONSUMED IF THE PROPERTY OWNER OF THE
ADJACENT LICENSED PREMISES IS HOSTING A PUBLIC EVENT:**

1. AT THE SAME TIME AS THE LICENSE HOLDER; AND

**2. IN CLOSE PROXIMITY TO THE LOCATION IN WHICH
BEER, WINE, OR LIQUOR WILL BE SOLD BY THE LICENSE HOLDER AND CONSUMED.**

**(C) THE LICENSE HOLDER MAY SELL BEER, WINE, AND LIQUOR MONDAY
THROUGH SUNDAY FROM 10 A.M. TO 11 P.M.**

(D) THE BOARD SHALL DETERMINE THE ANNUAL LICENSE FEE.

23-1313.

(A) IN THIS SECTION, "ENTERTAINMENT VENUE" MEANS A FACILITY THAT IS USED AS A CINEMA, THEATER, CONCERT HALL, OR SPORTS STADIUM.

(B) THERE IS A CLASS C PER DIEM ENTERTAINMENT VENUE BEER, WINE, AND LIQUOR LICENSE.

(C) THE BOARD MAY ISSUE THE CLASS C PER DIEM LICENSE TO THE HOLDER OF A CLASS C BEER, WINE, AND LIQUOR LICENSE FOR USE IN AN ENTERTAINMENT VENUE THAT MEASURES AT LEAST 200,000 SQUARE FEET.

(D) THE CLASS C PER DIEM LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL BEER, WINE, AND LIQUOR ON AN IMMEDIATELY ADJACENT LICENSED PREMISES FOR CONSUMPTION ON THE PREMISES OF THE HOLDER OF THE PER DIEM LICENSE AND ON THE ADJACENT LICENSED PREMISES.

(E) THE BOARD MAY NOT ISSUE THE PER DIEM LICENSE TO SELL BEER, WINE, AND LIQUOR ON AN IMMEDIATELY ADJACENT LICENSED PREMISES FOR CONSUMPTION ON THE PREMISES UNLESS THE PROPERTY OWNER OF THE ADJACENT LICENSED PREMISES PROVIDES THE BOARD WITH A STATEMENT AUTHORIZING THE USE OF THE LICENSED PREMISES.

(F) THE LICENSE HOLDER MAY SELL BEER, WINE, AND LIQUOR MONDAY THROUGH SUNDAY FROM 10 A.M. TO 11 P.M.

(G) THE BOARD SHALL DETERMINE THE LICENSE FEE.

23-1314.

(A) IN THIS SECTION, "ENTERTAINMENT VENUE" MEANS A FACILITY THAT IS USED AS A CINEMA, THEATER, CONCERT HALL, OR SPORTS STADIUM.

(B) THERE IS A CLASS D PER DIEM ENTERTAINMENT VENUE BEER, WINE, AND LIQUOR LICENSE.

(C) THE BOARD MAY ISSUE THE CLASS D PER DIEM LICENSE TO THE HOLDER OF A CLASS D BEER, WINE, AND LIQUOR LICENSE FOR USE IN AN ENTERTAINMENT VENUE THAT MEASURES AT LEAST 200,000 SQUARE FEET.

(D) THE CLASS D PER DIEM LICENSE AUTHORIZES THE LICENSE HOLDER

1 TO SELL BEER, WINE, AND LIQUOR ON AN IMMEDIATELY ADJACENT LICENSED
2 PREMISES FOR CONSUMPTION ON THE PREMISES OF THE HOLDER OF THE PER DIEM
3 LICENSE AND ON THE ADJACENT LICENSED PREMISES.

4 (E) THE BOARD MAY NOT ISSUE THE PER DIEM LICENSE TO SELL BEER,
5 WINE, AND LIQUOR ON AN IMMEDIATELY ADJACENT LICENSED PREMISES FOR
6 CONSUMPTION ON THE PREMISES UNLESS THE PROPERTY OWNER OF THE
7 ADJACENT LICENSED PREMISES PROVIDES THE BOARD WITH A STATEMENT
8 AUTHORIZING THE USE OF THE LICENSED PREMISES.

9 (F) THE LICENSE HOLDER MAY SELL BEER, WINE, AND LIQUOR MONDAY
10 THROUGH SUNDAY FROM 10 A.M. TO 11 P.M.

11 (G) THE BOARD SHALL DETERMINE THE LICENSE FEE.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
13 1, 2018.