

HOUSE BILL 228

A2

0lr2420
CF SB 73

By: **Delegates Branch and Smith**

Introduced and read first time: January 16, 2020

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: February 28, 2020

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City – 45th District – Alcoholic Beverages – Class B–D–7 License**

3 FOR the purpose of authorizing the Board of License Commissioners for Baltimore City to
4 issue a Class B–D–7 license in certain areas of the 45th alcoholic beverages district
5 if the applicant meets certain requirements; and generally relating to alcoholic
6 beverages licenses in Baltimore City.

7 BY repealing and reenacting, without amendments,

8 Article – Alcoholic Beverages

9 Section 12–102 and 12–1603(a) and (b)

10 Annotated Code of Maryland

11 (2016 Volume and 2019 Supplement)

12 BY repealing and reenacting, with amendments,

13 Article – Alcoholic Beverages

14 Section 12–1603(c)

15 Annotated Code of Maryland

16 (2016 Volume and 2019 Supplement)

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

19 **Article – Alcoholic Beverages**

20 12–102.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 This title applies only in Baltimore City.

2 12-1603.

3 (a) The alcoholic beverages districts described in this section at all times are
4 coterminous with the legislative districts in the Legislative Districting Plan of 2002 as
5 ordered by the Maryland Court of Appeals on June 21, 2002.

6 (b) Except as provided in subsection (c) of this section, the Board may not issue a
7 new license in:

8 (1) the 40th alcoholic beverages district;

9 (2) the 41st alcoholic beverages district;

10 (3) the 43rd alcoholic beverages district;

11 (4) the 44th alcoholic beverages district; and

12 (5) the 45th alcoholic beverages district.

13 (c) The Board may issue:

14 (1) in the alcoholic beverages districts specified in subsection (b) of this
15 section:

16 (i) a 1-day license; or

17 (ii) a Class B beer, wine, and liquor license to a restaurant that:

18 1. has a minimum capital investment, not including the cost
19 of land and buildings, of \$200,000 for restaurant facilities; and

20 2. has a minimum seating capacity of 75 individuals;

21 (2) a Class C beer, wine, and liquor license in the 45th alcoholic beverages
22 district;

23 (3) a Class C beer, wine, and liquor license in ward 5, precinct 1 of the 44th
24 alcoholic beverages district;

25 (4) a Class C beer, wine, and liquor license in the 200 block of West
26 Saratoga Street in ward 4, precinct 3 of the 40th alcoholic beverages district;

27 (5) a Class B-D-7 license in the unit block of West North Avenue in the
28 45th alcoholic beverages district;

1 (6) two Class B–D–7 licenses in the 2100 block of North Charles Street in
2 the 43rd alcoholic beverages district;

3 (7) two Class B–D–7 licenses in the 2100 block of Maryland Avenue in the
4 43rd alcoholic beverages district; [and]

5 (8) subject to the requirements under subsection (e) of this section, four
6 Class B–D–7 licenses in the 43rd alcoholic beverages district; AND

7 (9) A CLASS B–D–7 LICENSE IN THE 5400 BLOCK OF HARFORD ROAD
8 IN THE 45TH ALCOHOLIC BEVERAGES DISTRICT IF:

9 (I) AVERAGE DAILY RECEIPTS FROM THE SALE OF FOOD ARE AT
10 LEAST 65% OF THE APPLICANT’S TOTAL DAILY RECEIPTS;

11 (II) THE APPLICANT EXECUTES A MEMORANDUM OF
12 UNDERSTANDING WITH A COMMUNITY ASSOCIATION;

13 (III) THE APPLICANT DOES NOT CREATE A SEPARATE PACKAGE
14 GOODS DEPARTMENT;

15 (IV) ALCOHOLIC BEVERAGES ARE SERVED TO PATRONS SEATED
16 AT TABLES; AND

17 (V) ALCOHOLIC BEVERAGES ARE SERVED ONLY WITH MEALS TO
18 PATRONS PROVIDED WITH OUTDOOR TABLE SERVICE.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
20 1, 2020.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.