

# HOUSE BILL 1004

A2

5lr2874  
CF SB 313

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By: **Prince George's County Delegation**

Introduced and read first time: February 13, 2015

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Alcoholic Beverages – Underage Individuals at Special**  
3 **Entertainment Events**

4 **PG 319–15**

5 FOR the purpose of authorizing a holder of a Class B beer, wine, and liquor license in Prince  
6 George's County that obtains a special entertainment permit to allow an individual  
7 over a certain age to be present on the licensed premises under certain  
8 circumstances; altering the age for admission to certain special entertainment events  
9 under certain circumstances; and generally relating to alcoholic beverages licenses  
10 in Prince George's County.

11 BY repealing and reenacting, without amendments,  
12 Article 2B – Alcoholic Beverages  
13 Section 6–201(a)(1) and (r)(1) and (19)(i), (ii), and (v)  
14 Annotated Code of Maryland  
15 (2011 Replacement Volume and 2014 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Article 2B – Alcoholic Beverages  
18 Section 6–201(r)(2) and (19)(viii)  
19 Annotated Code of Maryland  
20 (2011 Replacement Volume and 2014 Supplement)

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

23 **Article 2B – Alcoholic Beverages**

24 6–201.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) (1) A Class B beer, wine and liquor license shall be issued by the license  
2 issuing authority of the county in which the place of business is located, and the license  
3 authorizes its holder to keep for sale and sell all alcoholic beverages at retail at any hotel  
4 or restaurant at the place described, for consumption on the premises or elsewhere, or as  
5 provided in this section.

6 (r) (1) (i) This subsection applies only in Prince George's County.

7 (ii) 1. In this subsection the following words have the meanings  
8 indicated.

9 2. "Board" means the Board of License Commissioners.

10 3. "Restaurant" means any establishment:

11 A. Located in a permanent building with ample space and  
12 accommodations commonly known as a restaurant where hot meals are habitually  
13 prepared, sold and served to the public during the hours it is regularly open for business;

14 B. Having at least the minimum sanitary facilities required  
15 for an establishment by the regulations of the county health department and shall meet  
16 the minimum health requirements of these regulations;

17 C. Having a dining area or areas with sufficient tables, chairs  
18 or booths to comfortably seat and accommodate patrons;

19 D. Equipped with a kitchen having complete facilities and  
20 utensils for preparing hot and cold meals to the public;

21 E. Employing a sufficient number of cooks, waiters or  
22 waitresses to serve the number of patrons provided for in the dining area or areas; and

23 F. Maintaining and displaying a menu advertising the  
24 serving of a variety of hot meals. There shall be on the premises at all times sufficient food  
25 to fill orders made from the menu.

26 (2) (i) 1. The annual license fee is \$1,455.

27 2. The licensee may not make any sale of alcoholic beverages  
28 for consumption off the licensed premises except from the main bar and within the main  
29 portion of the dining room facilities.

30 (ii) 1. A separate license fee may be charged whenever the  
31 applicant for or holder of a Class B (on-sale) beer, wine and liquor license proposes to or in  
32 fact establishes and conducts on the licensed premises, an area or portion of these licensed  
33 premises, where there are maintained "off-sale" shelves or counters not contained within  
34 and an integral part of the main bar and in the main dining facilities where the majority of



1                                   2.     The Board of License Commissioners determines that the  
2 holder's principal business is to provide family entertainment;

3                                   3.     The license is a Class B (on-sale) license issued for a  
4 restaurant, and the license holder provides entertainment for adults and children that:

5                                   A.     Is ancillary to the operation of the business; and

6                                   B.     Is not the primary focus of marketing or promotion for the  
7 business; or

8                                   4.     The license is a veterans or fraternal Class C license, and  
9 the license holder provides entertainment that:

10                                  A.     Is under the direct supervision of the license holder;

11                                  B.     Is for adults, children, and families of the organization or  
12 the public; and

13                                  C.     When offered, ends not later than midnight.

14                                  (ii)    There is a special entertainment permit that the Board may issue  
15 to a holder of any Class B (on-sale) license in accordance with this paragraph.

16                                  (v)    1.     The permit authorizes the holder that complies with all  
17 requirements under county law, including zoning and use and occupancy laws and  
18 regulations, to impose a cover charge, offer facilities for patron dancing, and provide  
19 entertainment.

20                                  2.     The permit is valid after 9 p.m. until 2 a.m. the following  
21 day.

22                                  (viii) 1.     A PERMIT holder [of the permit:

23                                   1.     Shall] SHALL implement the security plan[; and].

24                                   2.     [When] EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH  
25 **3 OF THIS SUBPARAGRAPH, WHEN** the privileges authorized by [the] AN  
26 ENTERTAINMENT permit are being exercised, **THE PERMIT HOLDER** may not allow an  
27 individual who is under the age of **18 YEARS, IF THE PERMIT HOLDER HOLDS A CLASS**  
28 **B BEER, WINE, AND LIQUOR LICENSE, OR UNDER THE AGE OF 21 years, IF THE**  
29 **PERMIT HOLDER HOLDS A LICENSE UNDER ANY OTHER PROVISION OF THIS**  
30 **ARTICLE,** on the premises for which the permit is issued[, unless the individual is  
31 employed by or is an immediate family member of the holder].

1                                   **3. A PERMIT HOLDER MAY ALLOW AN INDIVIDUAL OF**  
2 **ANY AGE WHO IS AN EMPLOYEE OR AN IMMEDIATE FAMILY MEMBER OF THE PERMIT**  
3 **HOLDER TO BE ON THE PREMISES.**

4                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
5 1, 2015.