

SENATE BILL 276

A2

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By: **Senator Norman**

Introduced and read first time: February 4, 2015

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Harford County – Alcoholic Beverages – Responsible Operator**

3 FOR the purpose of specifying that an applicant for a Class H–CC (corporate
4 club/conference center) beer, wine and liquor license is not required to own at least
5 a certain percentage of a business in order to qualify as a responsible operator for
6 the purpose of obtaining an alcoholic beverages license in Harford County; and
7 generally relating to alcoholic beverages licenses in Harford County.

8 BY repealing and reenacting, without amendments,

9 Article 2B – Alcoholic Beverages

10 Section 6–201(n)(1) and (6)

11 Annotated Code of Maryland

12 (2011 Replacement Volume and 2014 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article 2B – Alcoholic Beverages

15 Section 9–101(k)

16 Annotated Code of Maryland

17 (2011 Replacement Volume and 2014 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

19 That the Laws of Maryland read as follows:

20 **Article 2B – Alcoholic Beverages**

21 6–201.

22 (n) (1) This subsection applies only in Harford County.

23 (6) (i) There is a Class H–CC (corporate club/conference center) beer,
24 wine, and liquor license.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) The Liquor Control Board may issue the Class H–CC license for
2 an establishment with:

3 1. A banquet room, conference room, or meeting room that is
4 suitable for public gatherings and equipped with food preparation facilities; and

5 2. Subject to subparagraph (iii) of this paragraph, a
6 corporate dining room that is reserved for members of a private club and their guests.

7 (iii) A corporate dining room described in subparagraph (ii)2 of this
8 paragraph:

9 1. Shall be equipped for the sale of food; and

10 2. May be used by a private club of at least 25 members who
11 pay an annual membership fee.

12 (iv) The holder of a Class H–CC license may:

13 1. Keep for sale and sell beer, wine, and liquor during an
14 event contracted with another person in:

15 A. Any of the rooms described in subparagraph (ii) or (iii) of
16 this paragraph; and

17 B. Other areas of the licensed establishment that are
18 approved by the Liquor Control Board;

19 2. Hold multiple events in the licensed establishment
20 simultaneously;

21 3. Contract to provide beer, wine, and liquor at an event held
22 off the licensed establishment if the event is in Harford County and the holder also
23 contracts to provide food for consumption at the event; and

24 4. May not hold more than four self–sponsored events per
25 year in the banquet, conference, or meeting room.

26 (v) The annual license fee is \$3,000.

27 (vi) Not more than six Class H–CC licenses may be in effect at a time.

28 9–101.

29 (k) In Harford County, if the application is made for a corporation, whether
30 incorporated or unincorporated or for a limited liability company:

1 (1) Application for the license shall be by and be issued to 3 of the officers
2 holding a pecuniary interest in the corporation or 3 of the authorized persons holding a
3 pecuniary interest in the limited liability company, as individuals, for the use of the
4 corporation or limited liability company, as the case may be.

5 (2) In addition to the provisions of paragraph (1) of this subsection, 1 of the
6 applicants:

7 (i) Shall be a responsible operator of the licensed establishment who
8 has been a resident of the State for at least 1 year before filing the application and remains
9 a resident as long as the license is in effect; and

10 (ii) Shall reside within a 100-mile radius of the Town of Bel Air.

11 (3) The responsible operator shall:

12 (i) Except an applicant for a Class B (beer, wine and liquor) license
13 **OR A CLASS H-CC (BEER, WINE AND LIQUOR) LICENSE**, own at least 25 percent of the
14 total business;

15 (ii) Serve as manager or supervisor; and

16 (iii) Be physically present on the premises a substantial amount of
17 time on a daily basis.

18 (4) Paragraph (3) of this subsection relating to the responsible operator
19 applies to any license issued or transferred after July 1, 1984.

20 (5) The application for a license shall:

21 (i) Set forth the names and addresses of all the officers of the
22 corporation or authorized persons of the limited liability company;

23 (ii) Be signed by the president or vice president of a corporation and
24 the 3 officers of a corporation or the 3 authorized persons of a limited liability company to
25 whom the license is issued; and

26 (iii) Disclose the name and address of the corporation, partnership,
27 association, or limited liability company, as well as the names and addresses of the
28 applicants.

29 (6) (i) In the case of a corporation where there are less than 3 officers
30 or directors of the corporation or in the case of a limited liability company where there are
31 less than 3 authorized persons, all officers or directors holding a pecuniary interest in the
32 corporation, or all authorized persons holding a pecuniary interest in the limited liability
33 company shall make the application.

1 (ii) In the case of a close corporation where there are no officers or
2 directors, 1 or more majority stockholders may make the application as provided for in this
3 subsection.

4 (7) (i) In this paragraph "owner" means a person who has a real,
5 provable financial interest in the business and includes a stockholder or managerial
6 employee of the actual owner.

7 (ii) Stock ownership requirements do not apply to an applicant for a
8 Class B hotel or restaurant beer, wine and liquor license or a Class BNR beer, wine and
9 liquor license in which:

10 1. A majority of the shares of stock are owned or controlled
11 either directly or indirectly by 1 or more corporations whose shares of stock are authorized
12 for sale by the Securities and Exchange Commission of the United States;

13 2. At least 1 of the licensees is a responsible operator of the
14 business conducted on the licensed premises and that same individual is responsible for
15 the day to day operation of the license;

16 3. All licensees, including the responsible operator, are
17 named officers of the corporation; and

18 4. The residency requirement in effect at the time the license
19 is issued remains in effect as long as the license is in effect.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
21 1, 2015.