

# HOUSE BILL 1030

A2

6lr0413

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By: **Montgomery County Delegation**

Introduced and read first time: February 11, 2016

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Alcoholic Beverages – Premises Near Schools, Places of**  
3 **Worship, and Youth Centers**

4 **MC 1–16**

5 FOR the purpose of authorizing the Montgomery County Board of License Commissioners  
6 by a certain vote to approve an application for a license to sell alcoholic beverages for  
7 a restaurant that is located less than a certain number of feet from any elementary  
8 or secondary school, place of worship, or youth center under certain circumstances;  
9 and generally relating to alcoholic beverages in Montgomery County.

10 BY repealing and reenacting, with amendments,  
11 Article – Alcoholic Beverages  
12 Section 25–1608(a)  
13 Annotated Code of Maryland  
14 (As enacted by Chapter \_\_\_\_ (S.B. \_\_\_\_)(6lr1406) of the Acts of the General  
15 Assembly of 2016)

16 BY adding to  
17 Article – Alcoholic Beverages  
18 Section 25–1608(k)  
19 Annotated Code of Maryland  
20 (As enacted by Chapter \_\_\_\_ (S.B. \_\_\_\_)(6lr1406) of the Acts of the General  
21 Assembly of 2016)

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

24 **Article – Alcoholic Beverages**

25 25–1608.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) Except as provided in subsections (c) through [(j)] **(K)** of this section, the  
2 Board may not issue a license for an establishment that is within 750 feet of:

3 (1) a place of worship;

4 (2) an elementary or a secondary school; or

5 (3) a youth center sponsored or operated by a governmental unit.

6 **(K) THE BOARD MAY, BY AN AFFIRMATIVE VOTE OF FOUR-FIFTHS OF ITS**  
7 **TOTAL MEMBERSHIP, AUTHORIZE AN ON-SALE LICENSE FOR A RESTAURANT THAT**  
8 **IS LOCATED LESS THAN 300 FEET FROM AN ELEMENTARY OR A SECONDARY SCHOOL,**  
9 **A PLACE OF WORSHIP, OR A YOUTH CENTER SPONSORED OR CONDUCTED BY A**  
10 **GOVERNMENTAL AGENCY, IF:**

11 **(1) THE LAND ON WHICH THE BUILDING IS SITUATED IN WHICH THE**  
12 **LICENSEE WOULD OPERATE IS CLASSIFIED IN A COMMERCIAL OR INDUSTRIAL ZONE**  
13 **UNDER THE APPLICABLE ZONING ORDINANCE AND IS ADJACENT OR CONTIGUOUS TO**  
14 **LAND THAT IS SIMILARLY CLASSIFIED UNDER THE ZONING ORDINANCE;**

15 **(2) BEFORE APPROVING THE APPLICATION, THE BOARD SOLICITS**  
16 **INPUT FROM THE AFFECTED ELEMENTARY OR SECONDARY SCHOOL, PLACE OF**  
17 **WORSHIP, OR YOUTH CENTER;**

18 **(3) THE ISSUANCE OF THE LICENSE WILL NOT ADVERSELY AFFECT**  
19 **NEARBY SCHOOLS, PLACES OF WORSHIP, YOUTH CENTERS, OR THE NEAREST**  
20 **RESIDENTIAL COMMUNITY; AND**

21 **(4) THE APPLICANT OTHERWISE QUALIFIES FOR THE LICENSE.**

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
23 1, 2016.