

HOUSE BILL 1644

A2

6lr3873
CF 6lr3881

By: **Delegates West, Aumann, Hettleman, Morhaim, and Stein**

Rules suspended

Introduced and read first time: March 21, 2016

Assigned to: Rules and Executive Nominations

Re-referred to: Economic Matters, March 28, 2016

Committee Report: Favorable with amendments

House action: Adopted

Read second time: April 2, 2016

CHAPTER _____

1 AN ACT concerning

2 **Baltimore County – Alcoholic Beverages – Racetrack License**

3 FOR the purpose of ~~repealing the racetrack beer and wine license issued in Baltimore~~
4 ~~County; altering the fee for a racetrack beer, wine, and liquor license in the county;~~
5 authorizing the Board of License Commissioners for Baltimore County to transfer a
6 Class B or Class D beer, wine, and liquor (on-sale) retail alcoholic beverages license
7 in existence in Election District 15 to a certain location; prohibiting certain licenses
8 from being transferred; requiring that the transferred license be converted into a
9 certain other license; providing for certain restrictions, qualifications, and conditions
10 with respect to the transferred license; prohibiting a license issued under this Act
11 from being transferred to a location outside a certain area or converted into another
12 class of license; requiring that the location for the license comply with all applicable
13 zoning regulations; and generally relating to alcoholic beverages licenses in
14 Baltimore County.

15 BY repealing and reenacting, without amendments,

16 Article – Alcoholic Beverages

17 Section 13–102

18 Annotated Code of Maryland

19 (As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

20 BY ~~repealing and reenacting, with amendments,~~ adding to

21 Article – Alcoholic Beverages

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 Section ~~13-1001~~ 13-1709

2 Annotated Code of Maryland

3 (As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

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

6 **Article – Alcoholic Beverages**

7 13-102.

8 This title applies only in Baltimore County.

9 ~~13-1001.~~

10 ~~(a) There is:~~

11 ~~(1) a racetrack beer and wine license; and~~

12 ~~(2) a racetrack beer, wine, and liquor license.~~

13 ~~(b) (1) The Board may issue [a] THE license to the owner, concessionaire, or~~
14 ~~eating organization of a licensed racing establishment, whether an individual, an~~
15 ~~association, or a corporation.~~

16 ~~(2) There are no residential or voting qualifications for the [licenses]~~

17 ~~LICENSE.~~

18 ~~(c) [(1) The racetrack beer and wine license authorizes the license holder to sell~~
19 ~~beer and wine at one or more locations on the premises of the racing park of the license~~
20 ~~holder.~~

21 ~~(2) The [racetrack beer, wine, and liquor] license authorizes the license~~
22 ~~holder to sell beer, wine, and liquor at one or more locations on the premises of the racing~~
23 ~~park of the license holder.~~

24 ~~(d) The license fee is:~~

25 ~~(1) for a racetrack beer and wine license, \$25 for each day that the racing~~
26 ~~park is open and operating; and~~

27 ~~(2) for a racetrack beer, wine, and liquor license, \$50 for each day that the~~
28 ~~racing park is open and operating] \$1,000 FOR EACH CALENDAR YEAR.~~

29 13-1709.

1 **(A) (1) NOTWITHSTANDING ANY LICENSE QUOTA LIMITATION**
2 **ESTABLISHED BY THE BOARD AND IN ADDITION TO THE LICENSES AUTHORIZED FOR**
3 **ISSUANCE IN THE COUNTY, THE BOARD MAY AUTHORIZE THE TRANSFER OF ONE**
4 **CLASS B OR CLASS D BEER, WINE, AND LIQUOR LICENSE IN EXISTENCE IN**
5 **ELECTION DISTRICT 15 ON JANUARY 15, 2016, AND VALID ON THE DATE OF**
6 **TRANSFER, TO A LOCATION THAT IS:**

7 **(I) AT 2200 YORK ROAD AND SURROUNDING GROUNDS IN**
8 **ELECTION DISTRICT 8; AND**

9 **(II) OWNED BY THE MARYLAND STATE FAIR AND**
10 **AGRICULTURAL SOCIETY, INC.**

11 **(2) A LICENSE TRANSFERRED UNDER THIS SECTION:**

12 **(I) MAY NOT BE A LICENSE THAT IS PROHIBITED FROM BEING**
13 **TRANSFERRED BY LAW OR BOARD REGULATION, OTHER THAN A PROHIBITION**
14 **AGAINST CROSSING DISTRICT LINES;**

15 **(II) FOR DETERMINING THE TOTAL NUMBER OF LICENSES**
16 **AVAILABLE IN ELECTION DISTRICT 8, SHALL BE CONSIDERED TO BE A REGULAR**
17 **LICENSE AND NOT AN EXCEPTION TO THE POPULATION AND NUMERICAL**
18 **LIMITATIONS SPECIFIED IN "RULE 19 - POPULATION AND NUMERICAL**
19 **LIMITATIONS" OF THE RULES AND REGULATIONS OF THE BOARD;**

20 **(III) SHALL BE CONVERTED INTO A CLASS B (MSF)(ON-SALE)**
21 **BEER, WINE, AND LIQUOR LICENSE; AND**

22 **(IV) AS OF THE DATE OF TRANSFER, MAY NOT BE COUNTED**
23 **TOWARD ANY POPULATION LIMIT EXISTING IN ELECTION DISTRICT 15.**

24 **(B) THE ISSUANCE AND RENEWAL REQUIREMENTS, MINIMUM SQUARE FOOT**
25 **AREA REQUIREMENT FOR FOOD AND BEVERAGE PREPARATION AND CONSUMPTION,**
26 **AND HOURS AND DAYS OF SALE FOR THE CLASS B (MSF) LICENSE ARE THE SAME AS**
27 **THOSE PROVIDED FOR A CLASS B BEER, WINE, AND LIQUOR (ON-SALE) HOTEL AND**
28 **RESTAURANT LICENSE.**

29 **(C) (1) THE CLASS B (MSF) LICENSE MAY NOT BE:**

30 **(I) TRANSFERRED TO A LOCATION OUTSIDE THE AREA FOR**
31 **WHICH THE LICENSE WAS ISSUED; OR**

32 **(II) CONVERTED INTO ANOTHER CLASS OF LICENSE.**

1 **(2) THE LOCATION FOR THE CLASS B (MSF) LICENSE SHALL COMPLY**
2 **WITH ALL APPLICABLE ZONING REGULATIONS.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
4 1, 2016.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.