

# SENATE BILL 1077

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CF HB 1548

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By: **Washington County Senators**

Introduced and read first time: February 19, 2016

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, February 25, 2016

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Committee Report: Favorable

Senate action: Adopted

Read second time: March 17, 2016

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Washington County – Alcoholic Beverages – License Renewal Procedures**

3 FOR the purpose of specifying the filing period for a renewal of an alcoholic beverages  
4 license in Washington County; requiring a license holder to file an application to  
5 renew an annual license and the required documents by a certain date; altering the  
6 penalty for late filing of an application for a license renewal; prohibiting the  
7 Washington County Board of License Commissioners from renewing a license until  
8 the license holder pays certain taxes by a certain date and submits a certain  
9 certificate to the Board; specifying certain content of a license renewal application;  
10 authorizing the Board to issue renewed licenses for the following year during a  
11 certain time period; and generally relating to alcoholic beverages in Washington  
12 County.

13 BY repealing and reenacting, without amendments,

14 Article – Alcoholic Beverages

15 Section 31–102

16 Annotated Code of Maryland

17 (As enacted by Chapter \_\_\_\_ (S.B. 724) of the Acts of the General Assembly of 2016)

18 BY repealing and reenacting, with amendments,

19 Article – Alcoholic Beverages

20 Section 31–1801, 31–1802, and 31–1803

21 Annotated Code of Maryland

22 (As enacted by Chapter \_\_\_\_ (S.B. 724) of the Acts of the General Assembly of 2016)

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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 BY adding to  
 2 Article – Alcoholic Beverages  
 3 Section 31–1803.1 and 31–1803.2  
 4 Annotated Code of Maryland  
 5 (As enacted by Chapter \_\_\_\_ (S.B. 724) of the Acts of the General Assembly of 2016)

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

8 **Article – Alcoholic Beverages**

9 31–102.

10 This title applies only in Washington County.

11 31–1801.

12 (a) The following sections of Title 4, Subtitle 4 (“Renewal of Local Licenses”) of  
 13 Division I of this article apply in the County without exception or variation:

14 (1) § 4–402 (“Eligibility for renewal; process”);

15 (2) § 4–403 (“Renewal application”);

16 (3) § 4–406 (“Protests”);

17 (4) § 4–407 (“Denial of renewal application”);

18 (5) [§ 4–408 (“Issuance of renewed licenses”);

19 (6)] § 4–409 (“Multiple licenses”); and

20 [(7)] **(6)** § 4–410 (“Chain store, supermarket, or discount house”).

21 **(B) SECTION 4–404 (“FILING PERIOD FOR RENEWAL APPLICATION”) OF**  
 22 **DIVISION I OF THIS ARTICLE DOES NOT APPLY IN THE COUNTY AND IS SUPERSEDED**  
 23 **BY § 31–1802 OF THIS SUBTITLE.**

24 [(b)] **(C)** The following sections of Title 4, Subtitle 4 (“Renewal of Local  
 25 Licenses”) of Division I of this article apply in the County:

26 (1) [§ 4–404 (“Filing period for renewal application”), subject to § 31–1802  
 27 of this subtitle; and

1           (2)] § 4-405 (“Contents of renewal application”), subject to [§] §§ 31-1803  
2 AND 31-1803.1 of this subtitle; AND

3           (2) § 4-408 (“ISSUANCE OF RENEWED LICENSES”), SUBJECT TO §  
4 31-1803.2 OF THIS SUBTITLE.

5 31-1802.

6           (A) A RENEWAL APPLICATION SHALL BE AVAILABLE AT THE BEGINNING OF  
7 MARCH OF THE LICENSING CYCLE.

8           (B) AN APPLICATION AND THE REQUIRED DOCUMENTS TO RENEW AN  
9 ANNUAL LICENSE SHALL BE FILED BETWEEN APRIL 1 AND JUNE 15, INCLUSIVE.

10           (C) A license holder that files a completed application for license renewal[:

11           (1)] between [April 2] JUNE 16 and [April 11] JUNE 30, inclusive, is  
12 subject to a penalty of [\$100; or

13           (2) on or after April 12 is subject to a penalty of \$400] \$50 FOR EACH DAY  
14 OF VIOLATION.

15 31-1803.

16           The Board may not renew a license until the license holder, BY JUNE 15:

17           (1) pays all [County] UNDISPUTED taxes that are due under the license  
18 TO THE COMPTROLLER, THE MUNICIPALITY, AND THE COUNTY; [and]

19           (2) certifies by affidavit to the Board that no County taxes are due; AND

20           (3) SUBMITS TO THE BOARD A CERTIFICATE OF GOOD STANDING  
21 FROM THE COMPTROLLER.

22 31-1803.1.

23           TO BE APPROVED, A LICENSE RENEWAL APPLICATION SHALL:

24           (1) CONTAIN ALL REQUIRED SIGNATURES THAT HAVE BEEN  
25 NOTARIZED; AND

26           (2) BE ACCOMPANIED BY:

27           (I) A TRADER’S LICENSE;

1 (II) A SALES AND USE LICENSE; AND

2 (III) FOR A CLASS B RESTAURANT:

3 1. A HEALTH DEPARTMENT PERMIT; AND

4 2. A STATEMENT OF THE AVERAGE MONTHLY SALES OF  
5 FOOD AND ALCOHOLIC BEVERAGES FOR THE LICENSED PREMISES DURING THE  
6 PREVIOUS LICENSE TERM.

7 31-1803.2.

8 (A) THE BOARD MAY ISSUE RENEWED LICENSES FOR THE FOLLOWING  
9 LICENSE YEAR BETWEEN JUNE 15 AND JULY 1, INCLUSIVE.

10 (B) ALL RENEWED LICENSES SHALL BE DATED JULY 1.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
12 1, 2016.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.