

# HOUSE BILL 743

A2

8lr2121

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By: **Harford County Delegation**

Introduced and read first time: February 1, 2018

Assigned to: Economic Matters

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Committee Report: Favorable

House action: Adopted

Read second time: March 7, 2018

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

1 AN ACT concerning

2 **Harford County – Alcoholic Beverages – Per Diem Licenses**

3 FOR the purpose of authorizing a simple majority of the members of the Board of License  
4 Commissioners for Harford County to approve or deny an application for a per diem  
5 license in a certain meeting or, with a certain written voting record, through oral or  
6 written contact by any method by the chair with each member of the Board;  
7 prohibiting the Board from requiring the publication of an application for a per diem  
8 license as a prerequisite to issuing the license; making conforming changes; and  
9 generally relating to alcoholic beverages licenses in Harford County.

10 BY renumbering

11 Article – Alcoholic Beverages  
12 Section 22–1309  
13 to be Section 22–1309.1  
14 Annotated Code of Maryland  
15 (2016 Volume and 2017 Supplement)

16 BY repealing and reenacting, without amendments,

17 Article – Alcoholic Beverages  
18 Section 22–102  
19 Annotated Code of Maryland  
20 (2016 Volume and 2017 Supplement)

21 BY repealing and reenacting, with amendments,

22 Article – Alcoholic Beverages

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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 Section 22–1301  
 2 Annotated Code of Maryland  
 3 (2016 Volume and 2017 Supplement)

4 BY adding to  
 5 Article – Alcoholic Beverages  
 6 Section 22–1309  
 7 Annotated Code of Maryland  
 8 (2016 Volume and 2017 Supplement)

9 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
 10 That Section(s) 22–1309 of Article – Alcoholic Beverages of the Annotated Code of Maryland  
 11 be renumbered to be Section(s) 22–1309.1.

12 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
 13 as follows:

14 **Article – Alcoholic Beverages**

15 22–102.

16 This title applies only in Harford County.

17 22–1301.

18 (a) The following sections of Title 4, Subtitle 12 (“Temporary Licenses”) of  
 19 Division I of this article apply in the county without exception or variation:

20 (1) § 4–1202 (“Per diem licenses”);

21 (2) § 4–1203 (“Class C per diem beer and Class C per diem beer and wine  
 22 licenses”);

23 (3) § 4–1204 (“Class C per diem beer, wine, and liquor license”);

24 (4) § 4–1206 (“License to dispose of stock”);

25 (5) § 4–1207 (“Temporary move of licensed premises”);

26 (6) § 4–1208 (“Hours and days of sale”); and

27 (7) § 4–1209 (“Wine permit for fund–raising event”).

28 (b) Section 4–1205 (“License fees”) of Division I of this article does not apply in  
 29 the county and is superseded by [§ 22–1309] **§ 22–1309.1** of this subtitle.

30 **22–1309.**

1 (A) (1) A SIMPLE MAJORITY OF THE TOTAL NUMBER OF THE MEMBERS OF  
2 THE BOARD MAY ACT TO APPROVE OR DENY AN APPLICATION FOR A PER DIEM  
3 LICENSE:

4 (I) IN A FORMAL MEETING, WITH A QUORUM PRESENT; OR

5 (II) IN ACCORDANCE WITH PARAGRAPH (2) OF THIS  
6 SUBSECTION, THROUGH ORAL OR WRITTEN CONTACT BY ANY METHOD BY THE CHAIR  
7 WITH EACH MEMBER OF THE BOARD.

8 (2) THE CHAIR SHALL MAKE A WRITTEN RECORD UNDER PARAGRAPH  
9 (1)(II) OF THIS SUBSECTION OF HOW EACH MEMBER AND THE CHAIR VOTED.

10 (B) THE BOARD MAY NOT REQUIRE THE PUBLICATION OF AN APPLICATION  
11 FOR A PER DIEM LICENSE AS A PREREQUISITE TO THE ISSUING OF THE LICENSE.

12 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
13 1, 2018.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.