

HOUSE BILL 1575

A2

8lr3346

By: **Delegates Brooks, Ebersole, Grammer, Jalisi, and Jones**

Introduced and read first time: February 9, 2018

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore County – Alcoholic Beverages – Multiple Class B Licenses**

3 FOR the purpose of authorizing the Board of License Commissioners for Baltimore County
4 to allow a person to obtain a certain interest in one or more licenses issued in another
5 jurisdiction or state and a certain number of Class B beer, wine, and liquor licenses
6 that the Board issues; repealing a requirement that a restaurant for which a certain
7 license is issued have a certain cocktail lounge or bar seating capacity; requiring a
8 restaurant for which a certain license is issued to have a certain minimum capital
9 investment for restaurant facilities; altering the off-sale privileges of a certain
10 license; and generally relating to Class B beer, wine, and liquor licenses issued in
11 Baltimore County.

12 BY repealing and reenacting, without amendments,
13 Article – Alcoholic Beverages
14 Section 13–102
15 Annotated Code of Maryland
16 (2016 Volume and 2017 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – Alcoholic Beverages
19 Section 13–1606
20 Annotated Code of Maryland
21 (2016 Volume and 2017 Supplement)

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 13–102.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 This title applies only in Baltimore County.

2 13–1606.

3 (a) The Board may allow a person to obtain a direct or indirect interest in:

4 (1) **IN ADDITION TO ONE OR MORE LICENSES ISSUED IN ANOTHER**
5 **JURISDICTION OR STATE**, not more than 12 Class B (on–sale — hotels and restaurants)
6 beer, wine, and liquor licenses; or

7 (2) if one of the restaurants for which a license is issued is located in the
8 Liberty Road Commercial Revitalization District as defined by the County Council on
9 October 18, 1999, not more than 13 Class B (on–sale — hotels and restaurants) beer, wine,
10 and liquor licenses.

11 (b) A restaurant described in subsection (a) of this section shall:

12 (1) meet the requirements of the regulations of the Board regarding the
13 availability and issuance of licenses;

14 (2) meet the definition requirements of “restaurant” established under the
15 regulations of the Board;

16 (3) have a minimum dining seating capacity of 190 individuals;

17 (4) [have a cocktail lounge or bar area seating capacity that does not exceed
18 25% of the dining seating capacity; and

19 (5)] have not more than 40% of sales in alcoholic beverages in connection
20 with the business; **AND**

21 **(5) HAVE A MINIMUM CAPITAL INVESTMENT OF \$250,000 FOR**
22 **RESTAURANT FACILITIES.**

23 (c) An indirect interest is presumed to exist between two persons, if the persons:

24 (1) have a common parent company;

25 (2) are parties to a franchise agreement, licensing agreement, or concession
26 agreement;

27 (3) are part of a chain of businesses that is commonly owned and operated;

28 (4) share a director, stockholder, partner, or member;

29 (5) share a director, stockholder, partner, or member of a parent or

1 subsidiary;

2 (6) share, directly or indirectly, profit from the sale of alcoholic beverages;

3 or

4 (7) share a trade name, trademark, logo or theme, or mode of operation
5 identifiable by the public.

6 (d) A **SECOND OR SUBSEQUENT** license described in subsection (a) of this section
7 does not confer an off-sale privilege.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
9 1, 2018.