

# HOUSE BILL 441

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HB 980/19 – ECM

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By: **Delegates Mosby, Attar, Boyce, Bridges, Conaway, R. Lewis, McIntosh, Smith, and Wells**

Introduced and read first time: January 23, 2020

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Alcoholic Beverages – Protest of License Renewal – Zoning**  
3 **Violations**

4 FOR the purpose of repealing a prohibition against the consideration of zoning issues by  
5 the Board of License Commissioners for Baltimore City when hearing and  
6 determining a protest filed against a renewal of an alcoholic beverages license; and  
7 generally relating to renewals of alcoholic beverages licenses in Baltimore City.

8 BY repealing and reenacting, without amendments,  
9 Article – Alcoholic Beverages  
10 Section 4–406, 12–102, and 12–1801(c)(2)  
11 Annotated Code of Maryland  
12 (2016 Volume and 2019 Supplement)

13 BY repealing and reenacting, with amendments,  
14 Article – Alcoholic Beverages  
15 Section 12–1805  
16 Annotated Code of Maryland  
17 (2016 Volume and 2019 Supplement)

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

### Article – Alcoholic Beverages

20 4–406.

22 (a) A protest against a license renewal may be made by:

23 (1) at least 10 signatories who are:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) residents, commercial tenants who are not holders of or  
2 applicants for a license, or real estate owners; and

3 (ii) located in the immediate vicinity of the licensed premises; or

4 (2) the local licensing board on its own initiative.

5 (b) (1) If a protest against renewing a license is filed at least 30 days before  
6 the license expires, the local licensing board may not approve the renewal without holding  
7 a hearing.

8 (2) The local licensing board shall hear and determine the protest in the  
9 same manner as it hears and determines an original application.

10 12-102.

11 This title applies only in Baltimore City.

12 12-1801.

13 (c) The following sections of Title 4, Subtitle 4 (“Renewal of Local Licenses”) of  
14 Division I of this article apply in the City:

15 (2) § 4-406 (“Protests”), subject to § 12-1805 of this subtitle.

16 12-1805.

17 To hear and determine a protest filed against a license renewal, the Board[:

18 (1)] shall consider only issues with respect to a specific complaint as to the  
19 operation of the licensed premises[; and

20 (2) may not consider zoning issues].

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
22 1, 2020.