

HOUSE BILL 924

A2

0lr2694

By: **Delegates Clippinger, Lierman, and R. Lewis**

Introduced and read first time: February 5, 2020

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Alcoholic Beverages – Distance Restrictions, Extension Fee,**
3 **and Class D License**

4 FOR the purpose of prohibiting the Board of License Commissioners for Baltimore City
5 from charging a fee for a temporary license permit extension under certain
6 circumstances; authorizing the Board to waive certain distance restrictions for an
7 application for the transfer of a license into a certain area under certain
8 circumstances; prohibiting the Board from issuing a license in or approving the
9 transfer of a license into a certain area under certain circumstances; authorizing
10 certain Class D license holders to serve food, but not alcoholic beverages, during
11 certain hours on Sundays; and generally relating to alcoholic beverages licenses in
12 Baltimore City.

13 BY repealing and reenacting, without amendments,
14 Article – Alcoholic Beverages
15 Section 12–102
16 Annotated Code of Maryland
17 (2016 Volume and 2019 Supplement)

18 BY adding to
19 Article – Alcoholic Beverages
20 Section 12–1313 and 12–2004(f)(4)
21 Annotated Code of Maryland
22 (2016 Volume and 2019 Supplement)

23 BY repealing and reenacting, with amendments,
24 Article – Alcoholic Beverages
25 Section 12–1605(a)
26 Annotated Code of Maryland
27 (2016 Volume and 2019 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Alcoholic Beverages**

4 12–102.

5 This title applies only in Baltimore City.

6 **12–1313.**

7 **IN THE 46TH ALCOHOLIC BEVERAGES DISTRICT, THE BOARD MAY NOT**
8 **CHARGE A FEE FOR A TEMPORARY LICENSE PERMIT EXTENSION TO AN**
9 **ORGANIZATION THAT IS EXEMPT FROM TAXATION UNDER § 501(C)(3) OF THE**
10 **INTERNAL REVENUE CODE.**

11 12–1605.

12 (a) (1) (i) Except as otherwise provided in this subsection, a new license
13 may not be issued for and an existing license may not be moved to a building that is within
14 300 feet of the nearest point of the building of a place of worship or school.

15 (ii) In the 45th legislative district, a new Class A license of any type
16 may not be issued for a building that is within 500 feet of the nearest point of the building
17 of a place of worship or school.

18 (2) Paragraph (1)(i) of this subsection does not apply to:

19 (i) a Class B beer and wine license outside the 46th legislative
20 district;

21 (ii) a Class B beer, wine, and liquor license outside the 46th
22 legislative district;

23 (iii) a Class B–D–7 license in the Old Goucher Revitalization District
24 under § 12–1603(e) of this subtitle;

25 (iv) a Class C beer and wine license; and

26 (v) a Class C beer, wine, and liquor license.

27 (3) A license for use in a building that is within 300 feet of the grounds of
28 a place of worship or school may be renewed or extended for the same building.

29 (4) (i) This paragraph applies only to an area bounded by:

1 1. High Street on the west, Pratt Street on the north, Central
2 Avenue on the east, and Eastern Avenue on the south;

3 2. West Cross Street and Amity Street on the west, Clifford
4 Street on the north, Scott Street on the east, and Carroll Street on the south; [or]

5 3. Holliday Street on the west, Saratoga Street on the north,
6 Gay Street on the east, and Lexington Street on the south; **OR**

7 **4. SUBJECT TO SUBPARAGRAPH (III) OF THIS**
8 **PARAGRAPH, FAGLEY STREET ON THE WEST, GOUGH STREET ON THE NORTH,**
9 **GRUNDY STREET ON THE EAST, AND CHESTLE PLACE ON THE SOUTH.**

10 (ii) The Board may waive the distance restrictions in paragraph
11 (1)(i) of this subsection for an application for the transfer of a license into an area specified
12 in subparagraph (i) of this paragraph if:

13 1. the application is approved by:

14 A. each community association representing the area;

15 B. each business association in the area; and

16 C. the ordained leader and the board or council for each place
17 of worship that is within 300 feet of the proposed location of the establishment for which
18 the license transfer is sought; and

19 2. a memorandum of understanding is executed by the
20 applicant for the license transfer and each community association in the area.

21 **(III) THE BOARD MAY NOT ISSUE A LICENSE IN OR APPROVE THE**
22 **TRANSFER OF A LICENSE INTO THE AREA SPECIFIED IN SUBPARAGRAPH (I)4 OF THIS**
23 **PARAGRAPH IF:**

24 **1. THE PROPOSED LOCATION OF THE ESTABLISHMENT**
25 **IS IN AN AREA THAT IS ZONED “RESIDENTIAL”; OR**

26 **2. THE LICENSE TO BE ISSUED OR TRANSFERRED IS A**
27 **CLASS A LICENSE OF ANY TYPE.**

28 12–2004.

29 (f) **(4) IN THE 46TH ALCOHOLIC BEVERAGES DISTRICT, FROM 9 A.M. TO**
30 **4 P.M. ON SUNDAYS, A HOLDER OF A CLASS D BEER, WINE, AND LIQUOR LICENSE IN**
31 **THE 3500 BLOCK OF GOUGH STREET:**

1 **(I) MAY NOT SERVE OR ALLOW FOR THE CONSUMPTION OF**
2 **ALCOHOLIC BEVERAGES; BUT**

3 **(II) MAY SERVE FOOD.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
5 1, 2020.