

# SENATE BILL 346

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By: **Senators Beidle, Elfreth, Reilly, and Rosapepe**  
Introduced and read first time: January 23, 2020  
Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Anne Arundel County – Alcoholic Beverages – Multiple Licenses**

3 FOR the purpose of altering the types of licenses subject to certain restrictions on the  
4 number of certain licenses a license holder may hold in Anne Arundel County;  
5 altering certain restrictions on the licenses a holder may hold by direct or indirect  
6 interest in the county; repealing certain restrictions on certain license holders being  
7 issued another license in the county; repealing certain locational requirements for  
8 certain additional licenses; and generally relating to alcoholic beverages licenses in  
9 Anne Arundel County.

10 BY repealing and reenacting, without amendments,  
11 Article – Alcoholic Beverages  
12 Section 11–102  
13 Annotated Code of Maryland  
14 (2016 Volume and 2019 Supplement)

15 BY repealing and reenacting, with amendments,  
16 Article – Alcoholic Beverages  
17 Section 11–1607  
18 Annotated Code of Maryland  
19 (2016 Volume and 2019 Supplement)

20 BY repealing  
21 Article – Alcoholic Beverages  
22 Section 11–1609  
23 Annotated Code of Maryland  
24 (2016 Volume and 2019 Supplement)

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.



1 **Article – Alcoholic Beverages**

2 11–102.

3 This title applies only in Anne Arundel County.

4 11–1607.

5 (a) (1) A license holder may hold not more than 10 [licenses of any class in  
6 accordance with this section] **CLASS B, CLASS H, OR CLASS BLX LICENSES, OR ANY**  
7 **COMBINATION OF THESE LICENSES.**

8 (2) [Of the licenses held by a license holder:

9 (i) not more than four licenses may be licenses in which the license  
10 holder holds a direct interest; and]

11 **(I) FOR PURPOSES OF THIS SECTION, A LICENSE HOLDER MAY**  
12 **HOLD A LICENSE BY DIRECT OR INDIRECT INTEREST.**

13 (ii) [the remaining licenses may only be licenses in which the license  
14 holder holds an indirect interest, as] **AN INDIRECT INTEREST MAY BE** evidenced **ONLY**  
15 by any of the following relationships involving the license holder and another license holder  
16 or the license holder and an applicant for a license:

17 1. a common parent company;

18 2. a franchise agreement;

19 3. a licensing agreement;

20 4. a concession agreement;

21 5. membership by the license holder and the other person in  
22 a chain of businesses commonly owned and operated and so portrayed to the public;

23 6. sharing of directors or stockholders or sharing of directors  
24 or stockholders of parent companies or subsidiaries;

25 7. common direct or indirect sharing of profit from the sale of  
26 alcoholic beverages;

27 8. sharing of a common trade name, trademark, logo, or  
28 theme; or

29 9. except for hotels and motels, sharing of a mode of

1 operation identifiable by the public.

2 (b) The Board may issue [one Class B license, Class BLX license, or Class H  
3 license] **THE LICENSES** to a person for [a restaurant] **RESTAURANTS** located anywhere in  
4 the county.

5 [(c) The Board may issue a second license to a license holder if:

6 (1) the license holder holds a Class B license that has a restriction  
7 prohibiting off-sales, a Class H license, or a Class BLX license;

8 (2) the license sought is a Class H license or a Class BLX license; and

9 (3) the restaurant for which the license is sought is located in:

10 (i) the Glen Burnie Urban Renewal Area;

11 (ii) the Parole Town Center Growth Management Area;

12 (iii) the Odenton Town Center Growth Management Area;

13 (iv) the Baltimore–Washington International Thurgood Marshall  
14 Airport State Priority Funding Area, as designated by the county in accordance with §  
15 6–301(f)(8) of the Economic Development Article;

16 (v) a shopping center with a gross area of at least 1,000,000 square  
17 feet that is zoned C3 General Commercial or MXD–C (Mixed Use Commercial) by the  
18 zoning article of the County Code;

19 (vi) the Route 198 corridor, consisting of properties located within  
20 500 feet of the right-of-way of Maryland Route 198, from Maryland Route 32 on the east  
21 to the Prince George’s County–Anne Arundel County line on the west;

22 (vii) a community revitalization zone with a designation in the series  
23 “A” through “P”, inclusive, as shown on the map adopted by the County Council by Bill  
24 97–01 of the county ordinances;

25 (viii) the Severn Commercial District, consisting of properties  
26 designated as “commercial zoning” by the comprehensive rezoning maps adopted by the  
27 County Council and located on that portion of Maryland Route 174 west of Maryland Route  
28 100 and east of the railroad right-of-way owned by the National Railroad Passenger  
29 Corporation (Parcel 117, Anne Arundel County Tax Map 29);

30 (ix) the Edgewater/Mayo Commercial District, consisting of those  
31 properties that are designated “commercial zoning districts” on the comprehensive rezoning  
32 maps adopted by the County Council for the Edgewater/Mayo Small Area Planning District;

1 (x) the Pasadena Commercial District, consisting of those properties  
2 that are designated “commercial zoning areas”, including Lake Shore Crossing, Lake Shore  
3 Plaza, and the Mountain Marketplace Shopping Center on the comprehensive zoning maps  
4 adopted by the County Council for the Pasadena Small Area Planning District; or

5 (xi) the area in Pasadena known as the Brumwell Property.

6 (d) The Board may issue a third license to a license holder if:

7 (1) the license sought is a Class BLX license; and

8 (2) the restaurant for which the license is sought is located in:

9 (i) the Glen Burnie Urban Renewal Area;

10 (ii) the Parole Town Center Growth Management Area;

11 (iii) the Odenton Town Center Growth Management Area;

12 (iv) the Baltimore–Washington International Thurgood Marshall  
13 Airport State Priority Funding Area, as designated by the county in accordance with §  
14 6–301(f)(8) of the Economic Development Article;

15 (v) a shopping center with a gross area of at least 1,000,000 square  
16 feet that is zoned C3 General Commercial or MXD–C (Mixed Use Commercial) by the  
17 zoning article of the County Code;

18 (vi) the Route 198 corridor, consisting of properties located within  
19 500 feet of the right-of-way of Maryland Route 198, from Maryland Route 32 on the east  
20 to the Prince George’s County–Anne Arundel County line on the west;

21 (vii) a community revitalization zone with a designation in the series  
22 “A” through “P”, inclusive, as shown on the map adopted by the County Council by Bill  
23 97–01 of the county ordinances;

24 (viii) the Severn Commercial District, consisting of properties  
25 designated as “commercial zoning” by the comprehensive rezoning maps adopted by the  
26 County Council and located on that portion of Maryland Route 174 west of Maryland Route  
27 100 and east of the railroad right-of-way owned by the National Railroad Passenger  
28 Corporation (Parcel 117, Anne Arundel County Tax Map 29);

29 (ix) the Edgewater/Mayo Commercial District, consisting of those  
30 properties that are designated “commercial zoning districts” on the comprehensive rezoning  
31 maps adopted by the County Council for the Edgewater/Mayo Small Area Planning District;

32 (x) the Pasadena Commercial District, consisting of those properties  
33 that are designated “commercial zoning areas”, including Lake Shore Crossing, Lake Shore

1 Plaza, and the Mountain Marketplace Shopping Center on the comprehensive zoning maps  
2 adopted by the County Council for the Pasadena Small Area Planning District; or

3 (xi) the area in Pasadena known as the Brumwell Property.

4 (e) (1) The Board may issue a fourth, fifth, sixth, seventh, eighth, ninth, or  
5 tenth license to a license holder if the license sought is a Class BLX license.

6 (2) The restaurant for which the license is sought may be located anywhere  
7 in the county.]

8 (C) THE BOARD MAY ISSUE MULTIPLE LICENSES UNDER THIS SECTION TO  
9 THE HOLDER OF A CLASS B LICENSE ONLY IF THE CLASS B LICENSE HAS A  
10 RESTRICTION PROHIBITING OFF-SALES.

11 [(f)] (D) (1) Except as provided in paragraph (2) of this subsection, a license  
12 that was issued on or before June 30, 2006, and in which a license holder holds a direct  
13 interest or an indirect interest shall be counted against the maximum number of 10 licenses  
14 that the license holder may hold under this section but is exempt from the restrictions  
15 under subsections (b) [through (e)] AND (C) of this section.

16 (2) A Class H license that was issued in the period beginning on March 14,  
17 2005, and ending on December 1, 2005, may not be counted against the maximum number  
18 of 10 licenses that the license holder may hold under this section.

19 [(g)] (E) The Board shall adopt regulations to carry out this section.

20 [11-1609.

21 (a) (1) Subject to paragraph (2) of this subsection, the Board may issue:

22 (i) a second license, if the second license is any Class H license, to:

23 1. a holder of any Class B license that has a restriction  
24 prohibiting sales for consumption off the premises; or

25 2. a holder of any Class H license; or

26 (ii) not more than four additional licenses, if each additional license  
27 is a Class H beer and light wine license, to:

28 1. a holder of a Class B beer and light wine license that has  
29 a restriction prohibiting sales for consumption off the premises; or

30 2. a holder of a Class H beer and light wine license.

1                   (2)    At least one restaurant for which the Class H license under paragraph  
2 (1) of this subsection is sought or to which the original Class B or Class H license applies  
3 must be in:

4                   (i)    a suburban community center designated by the county in  
5 accordance with Bill Nos. 36–96 and 70–96 of the county ordinances; or

6                   (ii)   one of the following locations as the location existed on October  
7 1, 1999:

8                   1.    the Glen Burnie Urban Renewal Area;

9                   2.    the Parole Town Center Growth Management Area;

10                  3.    the Odenton Town Center Growth Management Area;

11                  4.    the Baltimore–Washington International Thurgood  
12 Marshall Airport State Priority Funding Area, as designated by the county in accordance  
13 with § 6–301(f)(8) of the Economic Development Article;

14                  5.    a shopping center with a gross area of at least 1,000,000  
15 square feet that is zoned C3 General Commercial by the zoning article of the County Code;  
16 or

17                  6.    the Route 198 corridor, consisting of properties located  
18 within 500 feet of the right-of-way of Maryland Route 198, from Maryland Route 32 on the  
19 east to the Prince George’s County–Anne Arundel County line on the west.

20           (b)    The Board may not issue more than 60 Class H licenses under this section.

21           (c)    (1)   Subject to paragraph (2) of this subsection, the Board may issue a  
22 maximum of:

23                   (i)    two licenses to a person in the county if each license is a Class H  
24 beer, wine, and liquor license; or

25                   (ii)   five licenses to a person in the county if each license is a Class H  
26 beer and light wine license.

27           (2)    At least one restaurant for which one of the Class H licenses under  
28 paragraph (1) of this subsection is sought must be in:

29                   (i)    a suburban community center designated by the county in  
30 accordance with Bill Nos. 36–96 and 70–96 of the county ordinances; or

31                   (ii)   one of the following locations as the location existed on October  
32 1, 1999:

- 1                   1.     the Glen Burnie Urban Renewal Area;
- 2                   2.     the Parole Town Center Growth Management Area;
- 3                   3.     the Odenton Town Center Growth Management Area;
- 4                   4.     the Baltimore–Washington International Thurgood  
5 Marshall Airport State Priority Funding Area, as designated by the county in accordance  
6 with § 6–301(f)(8) of the Economic Development Article;
- 7                   5.     a shopping center with a gross area of at least 1,000,000  
8 square feet that is zoned C3 General Commercial by the zoning article of the County Code;  
9 or
- 10                  6.     the Route 198 corridor, consisting of properties located  
11 within 500 feet of the right–of–way of Maryland Route 198, from Route 32 on the east to  
12 the Prince George’s County–Anne Arundel County line on the west.

13           (d)    A franchisor may not have a direct ownership interest, as defined by the  
14 Board, in more than five licenses under this section.

15           (e)    The Board shall adopt regulations:

16                   (1)   to carry out this section; and

17                   (2)   that define “direct ownership interest” for the purposes of subsection (d)  
18 of this section.]

19           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
20 1, 2020.