

Chapter 532

**(House Bill 430)**

AN ACT concerning

**Montgomery County – Alcoholic Beverages – Seating Requirements**

**MC 11-21**

FOR the purpose of repealing certain seating capacity requirements for a BWL Community Performing Arts Facility license for alcoholic beverages in Montgomery County; and generally relating to alcoholic beverages licenses in Montgomery County.

BY repealing and reenacting, without amendments,  
Article – Alcoholic Beverages  
Section 25-102  
Annotated Code of Maryland  
(2016 Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,  
Article – Alcoholic Beverages  
Section 25-1004  
Annotated Code of Maryland  
(2016 Volume and 2020 Supplement)

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

**Article – Alcoholic Beverages**

25-102.

This title applies only in Montgomery County.

25-1004.

(a) There is a BWL Community Performing Arts Facility license.

(b) (1) The Board may issue the license for use by a nonprofit partnership, limited liability company, corporation, or other entity that owns or leases a performing arts facility that[:

(i)] is used for art classes, banquets, community-related activities, exhibits, live performances, shows, theater productions, visual art shows, and weddings[; and

(ii) has:

1. a minimum capacity of 200 individuals; and
2. a maximum capacity of 1,499 individuals].

(2) The Board may not issue more than three licenses to a nonprofit partnership, limited liability company, corporation, or other entity that owns or leases performing arts facilities in separate locations.

(c) (1) The license authorizes the license holder to sell beer, wine, and liquor by the drink from one or more outlets on the licensed premises for on-premises consumption.

(2) The Board may impose conditions on the issuance or renewal of the license that establish the areas in the community performing arts facility where beer, wine, and liquor may be sold, served, possessed, or consumed.

(3) The license holder shall ensure that food is provided during the hours beer, wine, and liquor are sold, served, possessed, or consumed.

(d) (1) The holder of a Class B-BWLHR license with catering authority, a local caterer's license, or a State caterer's license may bring alcoholic beverages and food on the licensed premises under the terms of a contract with a holder of a BWL Community Performing Arts Facility license.

(2) A violation of this title that occurs when a caterer brings alcoholic beverages on licensed premises as provided under paragraph (1) of this subsection is the responsibility of the caterer and is not the responsibility of the license holder.

(e) The license holder may sell beer, wine, and liquor from 9 a.m. on any day of the week to 2 a.m. the following day.

(f) The license may not be transferred to another location.

(g) The annual license fee is \$750.

(h) (1) There is a Community Performing Arts Facility special event permit.

(2) The Board may issue the permit only to the holder of a BWL Community Performing Arts Facility license.

(3) A holder of the permit may sell beer, wine, or liquor for consumption on the premises of the special event.

(4) A holder of the permit shall notify the Board in writing on a form provided by the Board at least 14 days before each event.

(5) A holder of the permit may hold an unlimited number of events in a year.

(6) The annual permit fee is \$200.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2021.

**Enacted under Article II, § 17(c) of the Maryland Constitution, May 30, 2021.**