

# HOUSE BILL 1447

A2

EMERGENCY BILL

2lr3003

---

By: **Delegate Clippinger (By Request – Baltimore City Administration)**

Introduced and read first time: February 22, 2022

Assigned to: Rules and Executive Nominations

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Alcoholic Beverages Licenses – Outdoor Table Service**  
3 **Privileges – Fee Prohibition and Alteration of Application Process**

4 FOR the purpose of prohibiting the Board of License Commissioners for Baltimore City  
5 from charging a holder of an alcoholic beverages license a certain fee if the holder  
6 holds a temporary outdoor seating permit issued by the Mayor and City Council of  
7 Baltimore City; authorizing the Board to grant certain ancillary license privileges to  
8 a holder of an alcoholic beverages license and to alter certain notice requirements  
9 under certain circumstances; and generally relating to alcoholic beverages licenses  
10 in Baltimore City.

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
12 That:

13 (a) Except as provided in subsection (b)(3) of this section, the Board of License  
14 Commissioners for Baltimore City may not charge a fee to a holder of an alcoholic beverages  
15 license issued by the Board if:

16 (1) the holder of the alcoholic beverages license also holds an unexpired  
17 Temporary Outdoor Seating Permit issued by the Mayor and City Council of Baltimore  
18 City; and

19 (2) the fee is imposed for the ancillary privilege of providing outdoor table  
20 or cafe service in conjunction with the Temporary Outdoor Seating Permit.

21 (b) (1) On application, the Board of License Commissioners for Baltimore City  
22 may consider the request of a holder of an alcoholic beverages license who also holds an  
23 unexpired Temporary Outdoor Seating Permit issued by the Mayor and City Council of  
24 Baltimore City to permanently add to the holder's license the ancillary privilege of  
25 providing outdoor table or cafe service.

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (2)    The Board may:

2                   (i)    satisfy the notice requirement under § 12–1506(a) of the  
3 Alcoholic Beverages Article by publishing the entire list of applications received under  
4 paragraph (1) of this subsection as a single consolidated list in two newspapers of general  
5 circulation in Baltimore City; and

6                   (ii)   waive the requirement under § 12–1506(b) of the Alcoholic  
7 Beverages Article to post a notice at the location described in the application.

8           (3)    If, in accordance with this subsection, the Board adds to a license  
9 holder’s license the ancillary privilege of providing outdoor table or cafe service, the fee  
10 prohibition under subsection (a) of this section does not apply.

11           (4)    The Board shall adopt regulations to carry out the provisions of this  
12 subsection.

13           SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency  
14 measure, is necessary for the immediate preservation of the public health or safety, has  
15 been passed by a yea and nay vote supported by three–fifths of all the members elected to  
16 each of the two Houses of the General Assembly, and shall take effect from the date it is  
17 enacted. It shall remain effective through June 30, 2023, and, at the end of June 30, 2023,  
18 this Act, with no further action required by the General Assembly, shall be abrogated and  
19 of no further force and effect.