

HOUSE BILL 746

A2

5lr3048

By: **Delegate Guyton**

Introduced and read first time: January 27, 2025

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore County – Alcoholic Beverages Licenses – Transfers**

3 FOR the purpose of authorizing the Board of License Commissioners for Baltimore County
4 to approve the transfer of a Class B or Class D license existing on a certain date that
5 is located in an eligible transferor district to another election district under certain
6 circumstances; limiting the number of license transfers that the Board may approve
7 from an eligible transferor district; and generally relating to alcoholic beverages in
8 Baltimore County.

9 BY repealing and reenacting, without amendments,
10 Article – Alcoholic Beverages and Cannabis
11 Section 13–102 and 13–1604(a)
12 Annotated Code of Maryland
13 (2024 Replacement Volume)

14 BY repealing and reenacting, with amendments,
15 Article – Alcoholic Beverages and Cannabis
16 Section 13–1604(b), (c)(6), and (e)(2)
17 Annotated Code of Maryland
18 (2024 Replacement Volume)

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

21 **Article – Alcoholic Beverages and Cannabis**

22 13–102.

23 This title applies only in Baltimore County.

24 13–1604.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) In this section, “eligible transferor district” means an election district in which
2 the total number of Class B and Class D licenses, excluding exception licenses, is 10% or
3 greater than the total number of Class B and Class D licenses that are allowed in an
4 election district based on the rule of the Board that limits the total number of licenses
5 available in an election district by population.

6 (b) (1) Subject to paragraphs (2) and (3) of this subsection, the Board may
7 approve the transfer of a Class B or Class D license in existence in an eligible transferor
8 district on June 1, [2022] **2025**, to another election district if:

9 (i) the approval occurs anytime from June 1, [2022] **2025**, to May
10 31, [2025] **2028**, both inclusive; and

11 (ii) prior to the transfer, the number of licenses in existence in the
12 election district to which the license is to be transferred is not greater than 25% more than
13 the number of licenses that would otherwise exist in that election district, based on the rule
14 of the Board that limits the total number of licenses available in an election district by
15 population.

16 (2) (i) The Board may not authorize the transfer of more than five Class
17 B or Class D licenses in existence on June 1, [2022] **2025**, in total under this section.

18 (ii) Not more than two licenses may be transferred under this
19 subsection into any single election district.

20 (3) (i) When the Board receives an application to transfer a license
21 under this section, the Board shall notify the county Department of Economic and
22 Workforce Development.

23 (ii) 1. This subparagraph applies when the license holder owns
24 the property from which the license is to be transferred.

25 2. The application to transfer a license shall include
26 information on the status of the real property associated with the license to be transferred
27 and any plans for disposition and future use of the property after the transfer of the license.

28 3. Except as provided in subparagraph (iv) of this paragraph,
29 the Board shall deny a transfer under this section if it determines, based on an assessment
30 provided by the county Department of Economic and Workforce Development, that:

31 A. the applicant has not demonstrated that there is an
32 appropriate future use of the property from which the license is to be transferred after the
33 transfer; or

1 B. the transfer will result in significant negative economic
2 impact to the community that surrounds the property from which the license is to be
3 transferred.

4 (iii) 1. This subparagraph applies when the license holder has no
5 ownership in the property from which the license is to be transferred.

6 2. The county Department of Economic and Workforce
7 Development may submit a letter to the Board regarding the economic impact the transfer
8 of the license will have on the community that surrounds the property from which the
9 license is to be transferred.

10 3. The Board may deny a transfer under this section based
11 on the letter received in accordance with subparagraph 2 of this subparagraph, unless
12 the Board finds that the applicant has undertaken a good faith effort to facilitate a future
13 use of the property by advising the property owner of the intention to transfer the license
14 to another location.

15 4. The applicant may submit information to the Board in
16 support of the transfer of the license.

17 (iv) The Board may waive the requirement under subparagraph (ii)
18 of this paragraph if, with the concurrence of the county Department of Economic and
19 Workforce Development, the Board finds that the license holder has undertaken good faith
20 efforts to facilitate a future use of the property and mitigate any negative economic impacts
21 to the surrounding community.

22 (c) (6) A Class B or D license transferred under subsection [(a)] **(B)** of this
23 section or a Class B Service Bar (SB) license issued under this subsection may not
24 thereafter be transferred from the licensed premises or converted to another class of license.

25 (e) (2) Subject to the 25% allowance authorized in subsection [(a)(1)(ii)]
26 **(B)(1)(II)** of this section, the Board shall consider a license transferred under this section
27 to be a regular license and not an exception license for determining the total number of
28 licenses available in an election district based on the rule of the Board.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
30 1, 2025.