

Chapter 142

(House Bill 1325)

AN ACT concerning

Howard County – Alcoholic Beverages – Class C License and Class C and Class D Per Diem Entertainment Venue ~~License~~ Licenses**Ho. Co. 20–18**

FOR the purpose of establishing a 7-day Class C beer, wine, and liquor license in Howard County; specifying that the license authorizes the license holder to sell beer, wine, and liquor at retail for on-premises consumption at the place described in the license ~~and for off-premises sale and consumption under certain circumstances; authorizing beer, wine, or liquor purchased on an adjacent licensed premises to be consumed on the premises for which the Class C beer, wine, and liquor license is issued; providing for the hours of sale;~~ requiring the Board of License Commissioners to determine the annual license fee; establishing Class C and Class D per diem entertainment venue beer, wine, and liquor licenses; specifying that the Class C and Class D per diem entertainment venue beer, wine, and liquor licenses authorize the license holder to sell beer, wine, and liquor on an immediately adjacent licensed premises for consumption on the premises of the holder of the per diem license and on the adjacent licensed premises; requiring license holders to be responsible for certain sale and consumption and certain laws and regulations; requiring the property owner of the adjacent licensed premises to provide the Board with a statement authorizing the use of a licensed premises; requiring the Board to determine the per diem license fee; defining a certain term; providing for an abnormal effective date; and generally relating to alcoholic beverages in Howard County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 23–102

Annotated Code of Maryland

(2016 Volume and 2017 Supplement)

BY adding to

Article – Alcoholic Beverages

Section 23–904, 23–1313, and 23–1314

Annotated Code of Maryland

(2016 Volume and 2017 Supplement)

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

Article – Alcoholic Beverages

23-102.

This title applies only in Howard County.

23-904.

(A) THERE IS A 7-DAY CLASS C BEER, WINE, AND LIQUOR LICENSE.

(B) ~~(1)~~ THE LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL BEER, WINE, AND LIQUOR AT RETAIL:

~~(1) FOR ON-PREMISES CONSUMPTION AT THE PLACE DESCRIBED IN THE LICENSE; AND~~

~~(1) FOR OFF-PREMISES SALE AND CONSUMPTION ONLY ON AN ADJACENT LICENSED PREMISES THAT IS AT LEAST 200,000 SQUARE FEET IN SIZE, IF THE PROPERTY OWNER OF THE ADJACENT LICENSED PREMISES HAS PROVIDED WRITTEN AUTHORIZATION TO THE BOARD.~~

~~(2) (1) EXCEPT AS PROVIDED IN SUBPARAGRAPH (1), BEER, WINE, OR LIQUOR PURCHASED ON AN ADJACENT LICENSED PREMISES MAY BE CONSUMED ON THE PREMISES FOR WHICH THE CLASS C BEER, WINE, AND LIQUOR LICENSE IS ISSUED.~~

~~(1) BEER, WINE, OR LIQUOR PURCHASED ON AN ADJACENT LICENSED PREMISES MAY NOT BE CONSUMED IF THE PROPERTY OWNER OF THE ADJACENT LICENSED PREMISES IS HOSTING A PUBLIC EVENT:~~

~~1. AT THE SAME TIME AS THE LICENSE HOLDER; AND~~

~~2. IN CLOSE PROXIMITY TO THE LOCATION IN WHICH BEER, WINE, OR LIQUOR WILL BE SOLD BY THE LICENSE HOLDER AND CONSUMED.~~

~~(C) THE LICENSE HOLDER MAY SELL BEER, WINE, AND LIQUOR MONDAY THROUGH SUNDAY FROM 10 A.M. TO 11 P.M.~~

~~(D)~~ (C) THE BOARD SHALL DETERMINE THE ANNUAL LICENSE FEE.

23-1313.

(A) IN THIS SECTION, "ENTERTAINMENT VENUE" MEANS A FACILITY THAT IS USED AS A CINEMA, THEATER, AMPHITHEATER, CONCERT HALL, OR SPORTS STADIUM.

(B) THERE IS A CLASS C PER DIEM ENTERTAINMENT VENUE BEER, WINE, AND LIQUOR LICENSE.

(C) THE BOARD MAY ISSUE THE CLASS C PER DIEM LICENSE TO THE HOLDER OF A CLASS C BEER, WINE, AND LIQUOR LICENSE FOR USE IN AN ENTERTAINMENT VENUE THAT MEASURES AT LEAST 200,000 SQUARE FEET.

(D) (1) THE CLASS C PER DIEM LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL BEER, WINE, AND LIQUOR ON AN IMMEDIATELY ADJACENT LICENSED PREMISES FOR CONSUMPTION ON THE PREMISES OF THE HOLDER OF THE PER DIEM LICENSE AND ON THE ADJACENT LICENSED PREMISES.

(2) LICENSE HOLDERS ARE RESPONSIBLE FOR:

(I) ALL SALE AND CONSUMPTION UNDER THEIR CONTROL OR ON THEIR PREMISES; AND

(II) COMPLIANCE WITH ALL APPLICABLE PROVISIONS OF THIS ARTICLE AND LOCAL LAWS AND REGULATIONS.

(E) THE BOARD MAY NOT ISSUE THE PER DIEM LICENSE ~~TO SELL BEER, WINE, AND LIQUOR ON AN IMMEDIATELY ADJACENT LICENSED PREMISES FOR CONSUMPTION ON THE PREMISES~~ UNLESS THE PROPERTY OWNER OF THE ADJACENT LICENSED PREMISES PROVIDES THE BOARD WITH A STATEMENT AUTHORIZING THE USE OF THE LICENSED PREMISES.

(F) THE LICENSE HOLDER MAY SELL BEER, WINE, AND LIQUOR MONDAY THROUGH SUNDAY FROM 10 A.M. TO 11 P.M.

(G) THE BOARD SHALL DETERMINE THE LICENSE FEE.

23-1314.

(A) IN THIS SECTION, "ENTERTAINMENT VENUE" MEANS A FACILITY THAT IS USED AS A CINEMA, THEATER, AMPHITHEATER, CONCERT HALL, OR SPORTS STADIUM.

(B) THERE IS A CLASS D PER DIEM ENTERTAINMENT VENUE BEER, WINE, AND LIQUOR LICENSE.

(C) THE BOARD MAY ISSUE THE CLASS D PER DIEM LICENSE TO THE HOLDER OF A CLASS D BEER, WINE, AND LIQUOR LICENSE FOR USE IN AN ENTERTAINMENT VENUE THAT MEASURES AT LEAST 200,000 SQUARE FEET.

(D) (1) THE CLASS D PER DIEM LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL BEER, WINE, AND LIQUOR ON AN IMMEDIATELY ADJACENT LICENSED PREMISES FOR CONSUMPTION ON THE PREMISES OF THE HOLDER OF THE PER DIEM LICENSE AND ON THE ADJACENT LICENSED PREMISES.

(2) LICENSE HOLDERS ARE RESPONSIBLE FOR:

(I) ALL SALE AND CONSUMPTION UNDER THEIR CONTROL OR ON THEIR PREMISES; AND

(II) COMPLIANCE WITH ALL APPLICABLE PROVISIONS OF THIS ARTICLE AND LOCAL LAWS AND REGULATIONS.

(E) THE BOARD MAY NOT ISSUE THE PER DIEM LICENSE ~~TO SELL BEER, WINE, AND LIQUOR ON AN IMMEDIATELY ADJACENT LICENSED PREMISES FOR CONSUMPTION ON THE PREMISES~~ UNLESS THE PROPERTY OWNER OF THE ADJACENT LICENSED PREMISES PROVIDES THE BOARD WITH A STATEMENT AUTHORIZING THE USE OF THE LICENSED PREMISES.

(F) THE LICENSE HOLDER MAY SELL BEER, WINE, AND LIQUOR MONDAY THROUGH SUNDAY FROM 10 A.M. TO 11 P.M.

(G) THE BOARD SHALL DETERMINE THE LICENSE FEE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~July~~ [‡] April 10, 2018.

Approved by the Governor, April 10, 2018.