

SENATE BILL 1021

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By: **Senator McFadden**

Introduced and read first time: February 24, 2010

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Alcoholic Beverages – License Fees**

3 FOR the purpose of requiring certain establishments in Baltimore City for which
4 certain alcoholic beverages licenses have been issued to pay additional fees if
5 live entertainment or certain services are provided; altering certain license fees
6 for establishments according to seating capacity; altering certain 1–day license
7 fees under certain circumstances; and generally relating to alcoholic beverages
8 licenses fees in Baltimore City.

9 BY repealing and reenacting, without amendments,
10 Article 2B – Alcoholic Beverages
11 Section 5–201(a)(1), 5–401(a)(1), 6–401(a)(1), 7–101(d)(1), and 8–203(a) and
12 (d)(1)
13 Annotated Code of Maryland
14 (2005 Replacement Volume and 2009 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article 2B – Alcoholic Beverages
17 Section 5–201(d), 5–401(d), 6–401(d), 7–101(d)(3), and 8–203(d)(7)
18 Annotated Code of Maryland
19 (2005 Replacement Volume and 2009 Supplement)

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

22 **Article 2B – Alcoholic Beverages**

23 5–201.

24 (a) (1) A Class B beer and light wine license shall be issued by the license
25 issuing authority of the county in which the place of business is located. The holder

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 may keep for sale and sell beer and light wines at retail at any hotel or restaurant, at
2 the place described in the license, for consumption on the premises or elsewhere.

3 (d) (1) [In] THIS SUBSECTION APPLIES ONLY IN Baltimore City[the].

4 (2) THE annual license fee is \$165.

5 (3) IN ADDITION TO THE ANNUAL LICENSE FEE, THE LICENSEE
6 SHALL PAY ANNUALLY:

7 (I) \$500 IF THE LICENSEE PROVIDES LIVE
8 ENTERTAINMENT;

9 (II) \$200 IF THE LICENSEE PROVIDES OUTDOOR TABLE OR
10 CAFE SERVICE; OR

11 (III) \$700 IF THE LICENSEE PROVIDES BOTH LIVE
12 ENTERTAINMENT AND OUTDOOR TABLE OR CAFE SERVICE.

13 5-401.

14 (a) (1) A Class D beer and light wine license shall be issued by the license
15 issuing authority of the county in which the place of business is located. The license
16 authorizes its holder to keep for sale and to sell beer and light wines at retail, at the
17 place described in the license, for consumption on the premises or elsewhere. The
18 license may not be issued for any drugstore.

19 (d) (1) [In] THIS SUBSECTION APPLIES ONLY IN Baltimore City[the].

20 (2) THE annual license fee is \$165.

21 (3) IN ADDITION TO THE ANNUAL LICENSE FEE, THE LICENSEE
22 SHALL PAY ANNUALLY:

23 (I) \$500 IF THE LICENSEE PROVIDES LIVE
24 ENTERTAINMENT;

25 (II) \$200 IF THE LICENSEE PROVIDES OUTDOOR TABLE OR
26 CAFE SERVICE; OR

27 (III) \$700 IF THE LICENSEE PROVIDES BOTH LIVE
28 ENTERTAINMENT AND OUTDOOR TABLE OR CAFE SERVICE.

29 6-401.

1 (a) (1) A Class D beer, wine and liquor license shall be issued by the
2 license issuing authority of the county in which the place of business is located. It
3 authorizes the holder to keep for sale and sell all alcoholic beverages at retail at the
4 place described in it, for consumption on the premises or elsewhere. A license may not
5 be issued for any drugstore.

6 (d) (1) Subject to § 11-503(b)(2) of this article, in Baltimore City the
7 annual license fee is \$825.

8 **(2) IN ADDITION TO THE ANNUAL LICENSE FEE, THE LICENSEE**
9 **SHALL PAY ANNUALLY:**

10 **(I) \$500 IF THE LICENSEE PROVIDES LIVE**
11 **ENTERTAINMENT;**

12 **(II) \$200 IF THE LICENSEE PROVIDES OUTDOOR TABLE OR**
13 **CAFE SERVICE; OR**

14 **(III) \$700 IF THE LICENSEE PROVIDES BOTH LIVE**
15 **ENTERTAINMENT AND OUTDOOR TABLE OR CAFE SERVICE.**

16 **[(2)](3)** In Baltimore City, the hours and days for sale for the license
17 are as provided under § 11-503 of this article.

18 7-101.

19 (d) (1) (i) A special Class C beer, wine and liquor license entitles the
20 holder to exercise any of the privileges conferred by this class of license for the use of
21 any person holding a bona fide entertainment conducted by a club, society, or
22 association at the place described for a period not exceeding seven consecutive days,
23 upon the payment of a fee of \$15 per day.

24 (ii) The provisions of § 11-517 of this article do not apply to
25 holders of this license. Alcoholic beverages sold under this special license shall be
26 purchased by such special license holder from retail dealers.

27 (3) In Baltimore City:

28 (i) The holder of a Class C special beer, wine and liquor license
29 may purchase beer and light wine from a wholesale dealer.

30 (ii) The fee is:

31 **1. \$50 per day IF THE CAPACITY OF THE LOCATION**
32 **WHERE THE EVENT TO BE HELD IS DETERMINED BY THE BALTIMORE CITY FIRE**
33 **DEPARTMENT TO BE LESS THAN 200 PERSONS;**

1 **2. \$100 PER DAY IF THE CAPACITY OF THE**
2 **LOCATION WHERE THE EVENT TO BE HELD IS DETERMINED BY THE BALTIMORE**
3 **CITY FIRE DEPARTMENT TO BE 200 PERSONS OR GREATER BUT LESS THAN**
4 **1,000 PERSONS;**

5 **3. \$500 PER DAY IF THE CAPACITY OF THE**
6 **LOCATION WHERE THE EVENT TO BE HELD IS DETERMINED BY THE BALTIMORE**
7 **CITY FIRE DEPARTMENT TO BE 1,000 PERSONS OR GREATER BUT LESS THAN**
8 **10,000 PERSONS; OR**

9 **4. \$1,000 PER DAY IF THE CAPACITY OF THE**
10 **LOCATION WHERE THE EVENT TO BE HELD IS DETERMINED BY THE BALTIMORE**
11 **CITY FIRE DEPARTMENT TO BE 10,000 PERSONS OR GREATER.**

12 8-203.

13 (a) The provisions of this section only apply in Baltimore City.

14 (d) (1) There is a Class B-D-7 license.

15 (7) **(I)** All such licenses shall be issued by the Board of Liquor
16 License Commissioners upon certification of the Board.

17 **(II)** The annual license fee is:

18 **1. \$1,320 FOR A LICENSED ESTABLISHMENT WITH A**
19 **SEATING CAPACITY OF 200 PERSONS OR LESS AS DETERMINED BY THE**
20 **BALTIMORE CITY FIRE DEPARTMENT; OR**

21 **2. \$3,000 FOR A LICENSED ESTABLISHMENT WITH A**
22 **SEATING CAPACITY GREATER THAN 200 PERSONS.**

23 **(III) IN ADDITION TO THE ANNUAL LICENSE FEE, THE**
24 **LICENSEE SHALL PAY ANNUALLY:**

25 **1. \$500 IF THE LICENSEE PROVIDES LIVE**
26 **ENTERTAINMENT;**

27 **2. \$200 IF THE LICENSEE PROVIDES OUTDOOR**
28 **TABLE OR CAFE SERVICE; OR**

29 **3. \$700 IF THE LICENSEE PROVIDES BOTH LIVE**
30 **ENTERTAINMENT AND OUTDOOR TABLE OR CAFE SERVICE.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 July 1, 2010.