

# SENATE BILL 183

P5

EMERGENCY BILL

4lr0756

---

By: **The President (By Request – Department of Legislative Services)**

Introduced and read first time: January 15, 2014

Assigned to: Rules

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Annual Curative Bill**

3 FOR the purpose of generally curing previous Acts of the General Assembly with  
4 possible title defects; expanding the prohibition on the issuance of certain  
5 nonresident or resident alcoholic beverage dealer's permits to include a person  
6 who has a disclosed legal, equity, or security interest in a certain licensed malt  
7 beverage wholesaler; authorizing the Prince George's County Board of License  
8 Commissioners to issue a special 7-day Class B-GC (golf course) on-sale beer,  
9 wine, and liquor license in Prince George's County; altering a certain minimum  
10 distance restriction in Howard County so as to authorize the issuance of a Class  
11 B alcoholic beverages license for a restaurant located beyond a certain distance  
12 from a public school building; requiring the Maryland Stadium Authority,  
13 Baltimore City, the Baltimore City Board of School Commissioners, and the  
14 Interagency Committee on School Construction to submit a certain joint report  
15 on a certain date each year; providing for the effect and construction of certain  
16 provisions of this Act; making this Act an emergency measure; and generally  
17 repealing and reenacting without amendments certain Acts of the General  
18 Assembly that may be subject to possible title defects in order to validate those  
19 Acts.

20 BY repealing and reenacting, without amendments,  
21 Article 2B – Alcoholic Beverages  
22 Section 2-101(i)(2) and (v)(3), 8-505, and 9-214(b)(1)  
23 Annotated Code of Maryland  
24 (2011 Replacement Volume and 2013 Supplement)

25 BY repealing and reenacting, without amendments,  
26 Article – Business Regulation  
27 Section 8-204  
28 Annotated Code of Maryland  
29 (2010 Replacement Volume and 2013 Supplement)

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, without amendments,  
 2 Article – Economic Development  
 3 Section 10–645(l)  
 4 Annotated Code of Maryland  
 5 (2008 Volume and 2013 Supplement)

6 BY repealing and reenacting, without amendments,  
 7 Article – Health – General  
 8 The subtitle designation “Subtitle 33. Natalie M. LaPrade Medical Marijuana  
 9 Commission” immediately preceding § 13–3301(a)  
 10 Annotated Code of Maryland  
 11 (2009 Replacement Volume and 2013 Supplement)

12 BY repealing and reenacting, without amendments,  
 13 Article – State Finance and Procurement  
 14 Section 11–101(b) and (i)  
 15 Annotated Code of Maryland  
 16 (2009 Replacement Volume and 2013 Supplement)

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

19 **Article 2B – Alcoholic Beverages**

20 2–101.

21 (i) (2) A nonresident dealer’s permit may not be issued to a person who:

22 (i) Holds a wholesaler or retailer license of any class issued  
 23 under this article;

24 (ii) Has an interest in a wholesaler licensed under this article;

25 or

26 (iii) Has an interest in a retailer licensed under this article.

27 (v) (3) A resident dealer’s permit may not be issued to a person who:

28 (i) Holds a wholesaler or retailer license of any class issued  
 29 under this article;

30 (ii) Has an interest in a wholesaler licensed under this article;

31 or

32 (iii) Has an interest in a retailer licensed under this article.

1 DRAFTER'S NOTE:

2 Error: Purpose paragraph of bill being cured failed to accurately describe the  
3 changes made by the bill.

4 Occurred: Chapter 207 (Senate Bill 223) of the Acts of 2013.

5 8-505.

6 (a) (1) In this section the following words have the meanings indicated.

7 (2) "Board" means the Prince George's County Board of License  
8 Commissioners.

9 (3) "Commission" means the Maryland-National Capital Park and  
10 Planning Commission.

11 (b) (1) The Board may issue special 7-day Class B-GC (golf course)  
12 on-sale beer, wine, and liquor licenses for the exclusive use on the premises of the  
13 Commission's golf courses located within Prince George's County.

14 (2) The special 7-day Class B-GC on-sale beer, wine, and liquor  
15 license authorizes the holder to sell beer, wine, and liquor from 1 or more outlets for  
16 consumption on the premises of the golf course.

17 (3) (i) A separate license is required for each applicable golf course.

18 (ii) A special 7-day Class B-GC on-sale beer, wine, and liquor  
19 license shall be issued to each of the managers of the Commission's golf courses upon  
20 making application and qualifying as a license holder under this article.

21 (4) (i) Except as provided in this subsection, the hours of sale for  
22 beer, wine, and liquor under this license are from 9 a.m. to 10 p.m. daily, Monday  
23 through Sunday.

24 (ii) The Commission may:

25 1. Reduce the hours of sale of beer, wine, and liquor  
26 under this license; and

27 2. Discontinue the sale of beer, wine, and liquor under  
28 this license from Labor Day through Memorial Day.

29 (5) The annual fee for a special 7-day Class B-GC on-sale beer, wine,  
30 and liquor license is \$500.

31 DRAFTER'S NOTE:

1 Error: Purpose paragraph of bill being cured failed to accurately describe the  
2 changes made by the bill.

3 Occurred: Chapter 665 (House Bill 1074) of the Acts of 2013.  
4 9–214.

5 (b) (1) (i) Subject to the provisions of subparagraph (ii) of this  
6 paragraph, a license to sell alcoholic beverages may not be first issued after June 30,  
7 1971, for any building located within 500 feet of the nearest point of a public school  
8 building.

9 (ii) A Class B license to sell alcoholic beverages may not be  
10 issued for a restaurant located within 400 feet from the nearest point of a public school  
11 building.

12 DRAFTER'S NOTE:

13 Error: Purpose paragraph of bill being cured failed to accurately describe the  
14 changes made by the bill.

15 Occurred: Chapter 142 (House Bill 901) of the Acts of 2013.

16 **Article – Business Regulation**

17 8–204.

18 (a) (1) (i) Subject to subparagraph (ii) of this paragraph, a majority of  
19 the members then serving on the Commission is a quorum.

20 (ii) A quorum may not be fewer than 4 members.

21 (2) The Commission may not act unless at least a majority of the  
22 members then serving concur.

23 (b) (1) The Commission shall meet at least once every 2 months.

24 (2) The Commission may hold meetings at the times and places in the  
25 State that it determines.

26 (c) On or before December 1 of each year, the Commission shall report to the  
27 Senate Education, Health, and Environmental Affairs Committee and the House  
28 Economic Matters Committee, in accordance with § 2–1246 of the State Government  
29 Article, regarding:

1 (1) the attendance record of each Commission meeting, disaggregated  
2 by the constituency that the attendee represents pursuant to the attendee's  
3 appointment under § 8–202(a)(2) of this subtitle;

4 (2) how many claims were closed at each meeting; and

5 (3) how many claims remain open at the conclusion of each meeting.

6 (d) Each member of the Commission is entitled to:

7 (1) compensation in accordance with the State budget; and

8 (2) reimbursement for expenses under the Standard State Travel  
9 Regulations, as provided in the State budget.

10 (e) The Commission shall have its office in Baltimore City.

11 DRAFTER'S NOTE:

12 Error: Function paragraph of bill being cured incorrectly indicated that only §  
13 8–204(a) and (b) of the Business Regulation Article were being amended.

14 Occurred: Chapter 440 (Senate Bill 66) of the Acts of 2013.

### 15 **Article – Economic Development**

16 10–645.

17 (l) On October 1, 2013, and each October 1 thereafter, the Authority,  
18 Baltimore City, the Baltimore City Board of School Commissioners, and the  
19 Interagency Committee on School Construction jointly shall report to the Governor,  
20 the Board of Public Works and, in accordance with § 2–1246 of the State Government  
21 Article, the fiscal committees of the General Assembly, on the progress of  
22 replacements, renovations, and maintenance of Baltimore City public school facilities,  
23 including actions:

24 (1) taken during the previous fiscal year; and

25 (2) planned for the current fiscal year.

26 DRAFTER'S NOTE:

27 Error: Purpose paragraph of bill being cured failed to accurately describe the  
28 changes made by the bill.

29 Occurred: Chapter 647 (House Bill 860) of the Acts of 2013.

1 **Article – Health – General**

2 Subtitle 33. Natalie M. LaPrade Medical Marijuana Commission.

3 13–3301.

4 (a) In this subtitle the following words have the meanings indicated.

5 DRAFTER’S NOTE:

6 Error: Function paragraph of bill being cured failed to correctly state the new  
7 subtitle designation.

8 Occurred: Chapter 403 (House Bill 1101) of the Acts of 2013.

9 **Article – State Finance and Procurement**

10 11–101.

11 (b) (1) “Architectural services” means professional or creative work that:

12 (i) is performed in connection with the design and supervision  
13 of construction or landscaping; and

14 (ii) requires architectural education, training, and experience.

15 (2) “Architectural services” includes consultation, research,  
16 investigation, evaluation, planning, architectural design and preparation of related  
17 documents, and coordination of services that structural, civil, mechanical, and  
18 electrical engineers and other consultants provide.

19 (3) “Architectural services” does not include construction inspection  
20 services or services provided in connection with an energy performance contract for  
21 structural, mechanical, plumbing, or electrical engineering.

22 (i) (1) “Engineering services” means professional or creative work that:

23 (i) is performed in connection with any utility, structure,  
24 building, machine, equipment, or process, including structural, mechanical, plumbing,  
25 electrical, geotechnical, and environmental engineering; and

26 (ii) requires engineering education, training, and experience in  
27 the application of special knowledge of the mathematical, physical, and engineering  
28 sciences.

1           (2) “Engineering services” includes consultation, investigation,  
2 evaluation, planning, design, and inspection of construction to interpret and ensure  
3 compliance with specifications and design within the scope of inspection services.

4           (3) “Engineering services” does not include services provided in  
5 connection with an energy performance contract.

6           DRAFTER’S NOTE:

7           Error: Function paragraph of bill being cured failed to indicate that § 11–101(b)  
8 and (i) of the State Finance and Procurement Article were being amended.

9           Occurred: Chapter 138 (House Bill 757) of the Acts of 2013.

10           SECTION 2. AND BE IT FURTHER ENACTED, That the Drafter’s Notes  
11 contained in this Act are not law and may not be considered to have been enacted as  
12 part of this Act.

13           SECTION 3. 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,  
15 has been passed by a yea and nay vote supported by three–fifths of all the members  
16 elected to each of the two Houses of the General Assembly, and shall take effect from  
17 the date it is enacted.