

# SENATE BILL 186

A2

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By: **Senator McFadden**

Introduced and read first time: January 20, 2012

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

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

3 FOR the purpose of altering certain fees for certain alcoholic beverages licenses in  
4 Baltimore City; repealing a certain provision of law requiring certain licensees  
5 in Baltimore City to pay a certain amount each year if they provide live  
6 entertainment or outdoor table or cafe service; and generally relating to the fees  
7 charged for alcoholic beverages licenses in Baltimore City.

8 BY repealing and reenacting, without amendments,

9 Article 2B – Alcoholic Beverages

10 Section 5–101(a), 5–201(a), 5–301(a), 5–401(a), 6–101(a)(1), 6–102(b),  
11 6–201(a)(1) and (2) and (d)(1)(i), (2)(i) and (ii), and (3)(i) and (ii),  
12 6–301(a)(1), 6–401(a)(1), 7–101(b)(1)(i) and (d)(1)(i), 8–203(d)(1), and  
13 8–508(b)

14 Annotated Code of Maryland  
15 (2011 Replacement Volume)

16 BY repealing and reenacting, with amendments,

17 Article 2B – Alcoholic Beverages

18 Section 5–101(d), 5–201(d), 5–301(d), 5–401(d), 6–101(d), 6–102(d),  
19 6–201(d)(1)(ii), (2)(iii), and (3)(viii), 6–301(d), 6–401(d)(1), 7–101(b)(3) and  
20 (d)(3), 8–203(d)(7), and 8–508(c)

21 Annotated Code of Maryland  
22 (2011 Replacement Volume)

23 BY repealing

24 Article 2B – Alcoholic Beverages

25 Section 6–201(d)(6)

26 Annotated Code of Maryland  
27 (2011 Replacement Volume)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article 2B – Alcoholic Beverages**

4 5–101.

5 (a) (1) A Class A beer and light wine license shall be issued by the license  
6 issuing authority of the county in which the place of business is located. The holder of  
7 the license may keep for sale and sell beer and light wines at retail, in any quantity to  
8 any consumers, at the place described in the license. The holder shall deliver the beer  
9 and light wines in a sealed package or container, which package or container may not  
10 be opened nor its contents consumed on the premises where sold.

11 (2) The annual fee for the license shall be paid to the local collecting  
12 agent before any license is issued, for distribution as provided.

13 (d) In Baltimore City the annual license fee is [~~\$110~~] **\$132**.

14 5–201.

15 (a) (1) A Class B beer and light wine license shall be issued by the license  
16 issuing authority of the county in which the place of business is located. The holder  
17 may keep for sale and sell beer and light wines at retail at any hotel or restaurant, at  
18 the place described in the license, for consumption on the premises or elsewhere.

19 (2) The annual fee shall be paid to the local collecting agent before any  
20 license is issued.

21 (d) In Baltimore City the annual license fee is [~~\$165~~] **\$198**.

22 5–301.

23 (a) (1) Except as provided in subsection (n) of this section, a Class C beer  
24 and light wine license shall be issued by the license issuing authority of the county in  
25 which the place of business is located. The holder of the license may keep for sale and  
26 sell beer and light wines at retail to bona fide members and their guests, at any club,  
27 at the place described in the license, for consumption on the premises only.

28 (2) The annual fee for the license shall be paid to the local collecting  
29 agent before any license is issued, for distribution as provided.

30 (d) In Baltimore City the annual license fee is [~~\$82.50~~] **\$99**.

31 5–401.

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

6 (2) The annual fee shall be paid to the local collecting agent before any  
7 license is issued, for distribution as provided in this article.

8 (d) In Baltimore City the annual license fee is [~~\$165~~] **\$198**.

9 6-101.

10 (a) (1) A Class A beer, wine and liquor license shall be issued by the  
11 license issuing authority of the county in which the place of business is located. The  
12 license authorizes the holder to keep for sale and to sell all alcoholic beverages at  
13 retail, in any quantity, at the place described in the license. The licensee shall deliver  
14 the alcoholic beverages in a sealed package or container and the package or container  
15 may not be opened nor its contents consumed on the premises where sold.

16 (d) In Baltimore City the annual license fee is [~~\$858~~] **\$1,030**.

17 6-102.

18 (b) The Board of License Commissioners may renew a Class B-D-7 beer,  
19 wine and liquor license that is expiring and reissue it as a Class A-2 beer, wine and  
20 liquor off-sale only package goods license as provided in § 8-203(d) of this article.

21 (d) The annual license fee is [~~\$858~~] **\$1,030**.

22 6-201.

23 (a) (1) A Class B beer, wine and liquor license shall be issued by the  
24 license issuing authority of the county in which the place of business is located, and  
25 the license authorizes its holder to keep for sale and sell all alcoholic beverages at  
26 retail at any hotel or restaurant at the place described, for consumption on the  
27 premises or elsewhere, or as provided in this section.

28 (2) The annual fee for this license is payable to the local collecting  
29 agent before any license is issued, for distribution as provided in this article.

30 (d) (1) (i) This subsection applies only in Baltimore City.

31 (ii) Except as otherwise provided by this subsection, the annual  
32 license fee is:

1                                   1.     ~~[\$1,320]~~ **\$1,716** for a licensed establishment with a  
2 seating capacity of 200 or fewer; and

3                                   2.     ~~[\$1,800]~~ **\$3,000** for a licensed establishment with a  
4 seating capacity of more than 200.

5                   (2)     (i)     There is a Class B–BWL (H–M) license.

6                                   (ii)    The Class B–BWL (H–M) license shall be issued to any hotel  
7 or motel meeting the minimum criteria of subparagraph (iv) of this paragraph.

8                                   (iii)   The annual license fee is ~~[\$6,500]~~ **\$7,800**.

9                   (3)     (i)     1.     In this paragraph the following words have the  
10 meanings indicated.

11                                   2.     “Arena” means a facility that is a:

12                                   A.     Catering hall;

13                                   B.     Banquet hall;

14                                   C.     Auditorium;

15                                   D.     Theatre;

16                                   E.     Athletic facility;

17                                   F.     Concert facility; or

18                                   G.     Stadium.

19                                   3.     “Board” means the Board of License Commissioners.

20                                   4.     “Person” means a natural person, an association, a  
21 firm, a partnership, a corporation, or the Mayor and City Council of Baltimore.

22                                   (ii)    There is an arena license.

23                                   (viii) The annual license fee for the arena license is ~~[\$12,000]~~  
24 **\$14,400**.

25                   [(6)   In addition to the annual license fee, a licensee issued a license  
26 under this subsection shall pay annually:

27                                   (i)     \$500, if the licensee provides live entertainment; and

1 (ii) \$200, if the licensee provides outdoor table or cafe service.]

2 6-301.

3 (a) (1) Except as provided in subsection (n) of this section, a Class C beer,  
4 wine and liquor license shall be issued by the license issuing authority of the county in  
5 which the place of business is located. It authorizes the holder to keep for sale and sell  
6 all alcoholic beverages at retail at any club, at the place described in the license, for  
7 consumption on the premises only.

8 (d) In Baltimore City the annual license fee is [~~\$550~~] **\$660**.

9 6-401.

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

15 (d) (1) Subject to § 11-503(b)(2) of this article, in Baltimore City the  
16 annual license fee is [~~\$825~~] **\$990**.

17 7-101.

18 (b) (1) (i) Subject to subsection (a) of this section, a special Class C  
19 beer license or a special Class C beer and wine license entitles the holder to exercise  
20 any of the privileges conferred by the respective classes of licenses for the use of any  
21 person holding any bona fide entertainment conducted by any club, society or  
22 association at the place described in the license, for a period not exceeding seven  
23 consecutive days from the effective date thereof.

24 (3) In Baltimore City:

25 (I) 1. FOR AN ESTABLISHMENT WITH A MAXIMUM OVERALL  
26 CAPACITY OF 200 PERSONS, AS DETERMINED BY THE BALTIMORE CITY FIRE  
27 DEPARTMENT, the fee is \$25 per day; AND

28 2. REIMBURSEMENT FOR COSTS INCURRED WHILE  
29 MONITORING THE EVENT FOR WHICH THE LICENSE IS ISSUED;

30 (II) 1. FOR AN ESTABLISHMENT WITH A MINIMUM  
31 OVERALL CAPACITY OF 201 PERSONS AND A MAXIMUM OVERALL CAPACITY OF  
32 500 PERSONS, AS DETERMINED BY THE BALTIMORE CITY FIRE DEPARTMENT,  
33 THE FEE IS \$150 PER DAY; AND

1                                   **2. REIMBURSEMENT FOR COSTS INCURRED WHILE**  
2 **MONITORING THE EVENT FOR WHICH THE LICENSE IS ISSUED;**

3                                   **(III) FOR AN ESTABLISHMENT WITH A MINIMUM OVERALL**  
4 **CAPACITY OF 501 PERSONS AND A MAXIMUM OVERALL CAPACITY OF 1,000**  
5 **PERSONS, AS DETERMINED BY THE BALTIMORE CITY FIRE DEPARTMENT, THE**  
6 **FEE IS \$300 PER DAY;**

7                                   **(IV) FOR AN ESTABLISHMENT WITH A MINIMUM OVERALL**  
8 **CAPACITY OF 1,001 PERSONS AND A MAXIMUM OVERALL CAPACITY OF 5,000**  
9 **PERSONS, AS DETERMINED BY THE BALTIMORE CITY FIRE DEPARTMENT, THE**  
10 **FEE IS \$500 PER DAY; AND**

11                                   **(V) FOR AN ESTABLISHMENT WITH AN OVERALL CAPACITY**  
12 **OF 5,001 PERSONS OR MORE, AS DETERMINED BY THE BALTIMORE CITY FIRE**  
13 **DEPARTMENT, THE FEE IS \$1,000 PER DAY.**

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

19                   (3)   In Baltimore City:

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

22                                   (ii)   The Board of Liquor License Commissioners may collect  
23 from the holder of the Class C special beer, wine and liquor license:

24                                   1.   **[A] FOR AN ESTABLISHMENT WITH A MAXIMUM**  
25 **OVERALL CAPACITY OF 200 PERSONS, AS DETERMINED BY THE BALTIMORE**  
26 **CITY FIRE DEPARTMENT, A license fee of \$50 per day]; and**

27                                   2.   Reimbursement],       **IN       ADDITION       TO**  
28 **REIMBURSEMENT** for costs incurred while monitoring the event for which the license  
29 is issued;

30                                   **2. FOR AN ESTABLISHMENT WITH A MINIMUM**  
31 **OVERALL CAPACITY OF 201 PERSONS AND A MAXIMUM OVERALL CAPACITY OF**  
32 **500 PERSONS, AS DETERMINED BY THE BALTIMORE CITY FIRE DEPARTMENT,**  
33 **THE FEE IS \$150 PER DAY, IN ADDITION TO REIMBURSEMENT FOR COSTS**  
34 **INCURRED WHILE MONITORING THE EVENT FOR WHICH THE LICENSE IS ISSUED;**

1                   **3. FOR AN ESTABLISHMENT WITH A MINIMUM**  
2 **OVERALL CAPACITY OF 501 PERSONS AND A MAXIMUM OVERALL CAPACITY OF**  
3 **1,000 PERSONS, AS DETERMINED BY THE BALTIMORE CITY FIRE DEPARTMENT,**  
4 **THE FEE IS \$300 PER DAY;**

5                   **4. FOR AN ESTABLISHMENT WITH A MINIMUM**  
6 **OVERALL CAPACITY OF 1,001 PERSONS AND A MAXIMUM OVERALL CAPACITY OF**  
7 **5,000 PERSONS, AS DETERMINED BY THE BALTIMORE CITY FIRE DEPARTMENT,**  
8 **THE FEE IS \$500 PER DAY; AND**

9                   **5. FOR AN ESTABLISHMENT WITH AN OVERALL**  
10 **CAPACITY OF 5,001 PERSONS OR MORE, AS DETERMINED BY THE BALTIMORE**  
11 **CITY FIRE DEPARTMENT, THE FEE IS \$1,000 PER DAY.**

12 8-203.

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

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

16                           **(II)**   [The] **FOR AN ESTABLISHMENT WITH A MAXIMUM**  
17 **OVERALL CAPACITY OF 200 PERSONS, AS DETERMINED BY THE BALTIMORE**  
18 **CITY FIRE DEPARTMENT, THE annual license fee is [\$1,320] \$1,716.**

19                           **(III)** **FOR AN ESTABLISHMENT WITH AN OVERALL CAPACITY**  
20 **OF 201 PERSONS OR MORE, AS DETERMINED BY THE BALTIMORE CITY FIRE**  
21 **DEPARTMENT, THE ANNUAL LICENSE FEE IS \$3,000.**

22 8-508.

23           (b)   (1)   The Board of Liquor License Commissioners for Baltimore City  
24 may issue a special Class M-G beer, wine and liquor license for use at a municipal golf  
25 course.

26                   (2)   The Class M-G license may be issued to a golf course manager.

27           (c)   The annual license fee is [\$600] **\$720.**

28           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
29 July 1, 2012.