

SENATE BILL 619

A2

4r2818
CF HB 433

By: **Senators Brinkley and Young**

Introduced and read first time: January 30, 2014

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Frederick County – Alcoholic Beverages – Organizational Licenses**

3 FOR the purpose of authorizing the Board of License Commissioners of Frederick
4 County to issue a certain alcoholic beverages license to certain organizations
5 located in the county; requiring the net proceeds of the sale of alcoholic
6 beverages under certain licenses to be used solely for certain purposes; and
7 generally relating to alcoholic beverages licenses in Frederick County.

8 BY repealing and reenacting, without amendments,
9 Article 2B – Alcoholic Beverages
10 Section 7–101(g) and 8–211(a), (b), (c), and (d–1)
11 Annotated Code of Maryland
12 (2011 Replacement Volume and 2013 Supplement)

13 BY adding to
14 Article 2B – Alcoholic Beverages
15 Section 8–211(g–1)
16 Annotated Code of Maryland
17 (2011 Replacement Volume and 2013 Supplement)

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

20 **Article 2B – Alcoholic Beverages**

21 7–101.

22 (g) The special licenses provided for in this section may not be issued in any
23 county or in Baltimore City, or in this State in case of application for statewide license,
24 if the issuance of a regular license of the same class is not authorized by this article.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 8–211.

2 (a) The provisions of this section apply only in Frederick County.

3 (b) A license for the sale of alcoholic beverages authorized by this article may
4 not be issued for any place of business located in any of the following election districts:

5 (1) Catoctin (6th);

6 (2) Hauvers (10th);

7 (3) Jackson (16th);

8 (4) Linganore (19th); and

9 (5) Ballenger (23rd).

10 (c) Class A, B, and C licenses for the sale of beer only, as authorized by this
11 article, shall be issued for places of business located in any of the following election
12 districts:

13 (1) Jefferson (14th);

14 (2) Johnsville (17th); and

15 (3) Burkittsville (22nd).

16 (d–1) (1) The Board of License Commissioners may issue within the
17 municipal boundaries of the municipal corporation of Middletown:

18 (i) Class A, B, or C beer licenses;

19 (ii) Class B beer, wine and liquor (on–sale) licenses if the
20 licensed premises derive at least 70% of its monthly gross revenue from the sale of
21 food; or

22 (iii) Middletown Wine Festival licenses.

23 (2) In all other areas of the Middletown (3rd) election district, the
24 Board of License Commissioners may only issue:

25 (i) Class A, B, or C beer licenses; or

26 (ii) Middletown Wine Festival licenses.

27 **(G–1) (1) THE RESTRICTIONS IN THIS SECTION AND IN § 7–101(G) OF**
28 **THIS ARTICLE DO NOT APPLY TO LICENSES ISSUED UNDER THIS SUBSECTION.**

1 **(2) THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE A**
2 **LICENSE FOR THE SALE OF BEER, WINE, AND LIQUOR TO AN ORGANIZATION**
3 **LOCATED IN THE COUNTY THAT IS A BONA FIDE:**

4 **(I) RELIGIOUS ORGANIZATION;**

5 **(II) FRATERNAL ORGANIZATION;**

6 **(III) CIVIC ORGANIZATION;**

7 **(IV) WAR VETERANS' ORGANIZATION; OR**

8 **(V) PATRIOTIC ORGANIZATION.**

9 **(3) ALL NET PROCEEDS FROM THE SALE OF ALCOHOLIC**
10 **BEVERAGES BY AN ORGANIZATION LICENSED UNDER PARAGRAPH (2) OF THIS**
11 **SUBSECTION SHALL BE USED SOLELY FOR CHARITABLE PURPOSES OR**
12 **OTHERWISE TO FURTHER THE PURPOSES OF THE ORGANIZATION.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 July 1, 2014.