

Bill No.: _____
Requested: _____
Committee: _____

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Stored – 11/17/16
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By: **Senator Guzzone**

A BILL ENTITLED

1 AN ACT concerning

2 **Howard County – Alcoholic Beverages – Class BD–BWL License**

3 **Ho. Co. 20–17**

4 FOR the purpose of establishing a Class BD–BWL alcoholic beverages license in Howard
5 County; providing that the license authorizes the sale of beer and wine for on– or
6 off–premises consumption and the sale of liquor for on–premises consumption;
7 requiring an applicant for the license to attest to a certain proportion of future food
8 and alcoholic beverages sales during certain hours, based on gross receipts, as a
9 prerequisite to obtaining the license; requiring an applicant for the license to attest
10 to a certain proportion of food and alcoholic beverages sales during certain hours,
11 based on gross receipts from sales during a certain time, as a prerequisite to
12 renewing the license; requiring the Board to adopt certain regulations providing for
13 the inspection of certain premises; authorizing the Board to revoke the license under
14 certain circumstances; authorizing the Board to require a license holder to provide
15 certain supporting data relating to the ratio of gross receipts from the sale of food to
16 those from the sale of food and alcoholic beverages; authorizing a license holder to
17 hold a certain number of certain licenses; specifying the hours of sale; setting an
18 annual license fee; and generally relating to Class BD–BWL licenses in Howard
19 County.

20 BY repealing and reenacting, without amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 Article – Alcoholic Beverages
2 Section 23–102
3 Annotated Code of Maryland
4 (2016 Volume and 2016 Supplement)

5 BY adding to
6 Article – Alcoholic Beverages
7 Section 23–902.1
8 Annotated Code of Maryland
9 (2016 Volume and 2016 Supplement)

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

12 **Article – Alcoholic Beverages**

13 23–102.

14 This title applies only in Howard County.

15 **23–902.1.**

16 **(A) THERE IS A CLASS BD–BWL LICENSE.**

17 **(B) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL:**

18 **(1) BEER AND WINE FOR ON– OR OFF–PREMISES CONSUMPTION; AND**

19 **(2) LIQUOR FOR ON–PREMISES CONSUMPTION.**

20 **(C) AS A PREREQUISITE FOR THE INITIAL ISSUANCE OF THE LICENSE, THE**
21 **OWNER OF THE ESTABLISHMENT SHALL ATTEST IN A SWORN STATEMENT THAT**
22 **GROSS RECEIPTS FROM FOOD SALES WILL BE AT LEAST EQUAL TO 40% OF THE**
23 **GROSS RECEIPTS FROM THE SALE OF FOOD AND ALCOHOLIC BEVERAGES:**

24 **(1) FROM 9 A.M. TO 9 P.M. ON MONDAY, TUESDAY, WEDNESDAY,**
25 **THURSDAY, FRIDAY, AND SATURDAY; AND**

1 **(2) FROM 10 A.M. TO 9 P.M. ON SUNDAY.**

2 **(D) AS A PREREQUISITE FOR EACH RENEWAL OF THE LICENSE, THE OWNER**
3 **OF THE ESTABLISHMENT SHALL ATTEST IN A SWORN STATEMENT THAT GROSS**
4 **RECEIPTS FROM FOOD SALES FOR THE 12-MONTH PERIOD IMMEDIATELY**
5 **PRECEDING THE APPLICATION FOR RENEWAL HAVE BEEN AT LEAST EQUAL TO 40%**
6 **OF THE GROSS RECEIPTS FROM THE SALE OF FOOD AND ALCOHOLIC BEVERAGES:**

7 **(1) FROM 9 A.M. TO 9 P.M. ON MONDAY, TUESDAY, WEDNESDAY,**
8 **THURSDAY, FRIDAY, AND SATURDAY; AND**

9 **(2) FROM 10 A.M. TO 9 P.M. ON SUNDAY.**

10 **(E) (1) THE BOARD BY REGULATION SHALL PROVIDE FOR PERIODIC**
11 **INSPECTION OF THE PREMISES AND FOR AUDITS TO DETERMINE THE RATIO OF**
12 **GROSS RECEIPTS FROM THE SALE OF FOOD TO GROSS RECEIPTS FROM THE SALE OF**
13 **FOOD AND ALCOHOLIC BEVERAGES.**

14 **(2) REGULATIONS ADOPTED BY THE BOARD SHALL INCLUDE A**
15 **REQUIREMENT OF:**

16 **(I) AT LEAST MONTHLY PHYSICAL INSPECTIONS OF THE**
17 **PREMISES DURING THE INITIAL LICENSE YEAR OF ANY LICENSE HOLDER; AND**

18 **(II) THE SUBMISSION BY THE LICENSE HOLDER TO THE BOARD,**
19 **DURING THE INITIAL LICENSE YEAR, OF MONTHLY STATEMENTS SHOWING GROSS**
20 **RECEIPTS FROM THE SALE OF FOOD AND GROSS RECEIPTS FROM THE SALE OF**
21 **ALCOHOLIC BEVERAGES FOR THE IMMEDIATELY PRECEDING MONTH.**

22 **(F) IF A LICENSE HOLDER DURING THE INITIAL LICENSE YEAR FAILS TO**
23 **MAINTAIN THE SALES RATIO REQUIREMENT PROVIDED IN THIS SECTION FOR 3**
24 **CONSECUTIVE MONTHS OR, AFTER THE INITIAL LICENSE YEAR, FOR EACH LICENSE**
25 **OR CALENDAR YEAR, THE BOARD MAY REVOKE THE LICENSE.**

26 **(G) THE BOARD MAY REQUIRE A LICENSE HOLDER TO PROVIDE**
27 **SUPPORTING DATA THAT THE BOARD CONSIDERS NECESSARY TO ESTABLISH THAT**
28 **THE REQUIREMENTS OF THIS SECTION RELATING TO THE RATIO OF GROSS**

1 RECEIPTS FROM THE SALE OF FOOD TO THOSE FROM THE SALE OF FOOD AND
2 ALCOHOLIC BEVERAGES HAVE BEEN MET.

3 (H) A HOLDER OF A CLASS BD–BWL LICENSE:

4 (1) MAY ALSO HOLD A CLASS 7 MICRO–BREWERY LICENSE ISSUED
5 FOR A LOCATION IN THE COUNTY; BUT

6 (2) MAY NOT HOLD MORE THAN ONE CLASS BD–BWL LICENSE.

7 (I) ON 7 DAYS OF THE WEEK, THE HOURS OF SALE ARE:

8 (1) FOR ON–PREMISES CONSUMPTION:

9 (I) FROM 9 A.M. TO 2 A.M. THE FOLLOWING DAY, ON MONDAY,
10 TUESDAY, WEDNESDAY, AND THURSDAY;

11 (II) FROM 9 A.M. TO 3 A.M. THE FOLLOWING DAY, ON FRIDAY
12 AND SATURDAY;

13 (III) FROM 10 A.M. TO 3 A.M. THE FOLLOWING DAY, ON SUNDAY
14 WHEN THE FOLLOWING DAY HAS BEEN DESIGNATED BY THE FEDERAL GOVERNMENT
15 AS ONE OF THE FOLLOWING HOLIDAYS:

16 1. WASHINGTON’S BIRTHDAY;

17 2. MEMORIAL DAY;

18 3. INDEPENDENCE DAY;

19 4. LABOR DAY;

20 5. VETERANS DAY; OR

21 6. CHRISTMAS; OR

22 (IV) FROM 10 A.M. TO 2 A.M. THE FOLLOWING DAY, ON A SUNDAY
23 THAT IS NOT REFERENCED IN ITEM (III) OF THIS ITEM; AND

1 **(2) FOR OFF-PREMISES CONSUMPTION, FROM 6 A.M. TO 1 A.M. THE**
2 **FOLLOWING DAY.**

3 **(J) THE ANNUAL LICENSE FEE IS \$3,500.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
5 1, 2017.