

Bill No.: _____
Requested: _____
Committee: _____

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By: **Delegate Hill**

A BILL ENTITLED

1 AN ACT concerning

2 **Howard County – Alcoholic Beverages – Marketplace License**

3 **Ho. Co. 19–18**

4 FOR the purpose of establishing a marketplace license in Howard County; authorizing the
5 Board of License Commissioners to issue the license to certain individuals; specifying
6 the scope, hours of sale, and fees for the license; authorizing a license holder to obtain
7 a refillable container permit and a nonrefillable container permit under certain
8 conditions; specifying certain standards to be met by the marketplace; defining a
9 certain term; and generally relating to alcoholic beverages in Howard County.

10 BY repealing and reenacting, without amendments,
11 Article – Alcoholic Beverages
12 Section 23–102
13 Annotated Code of Maryland
14 (2016 Volume and 2017 Supplement)

15 BY adding to
16 Article – Alcoholic Beverages
17 Section 23–1004.1
18 Annotated Code of Maryland
19 (2016 Volume and 2017 Supplement)

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 MARYLAND,
2 That the Laws of Maryland read as follows:

3 **Article – Alcoholic Beverages**

4 23–102.

5 This title applies only in Howard County.

6 **23–1004.1.**

7 **(A) IN THIS SECTION, “MARKETPLACE” MEANS A PREMISES THAT:**

8 **(1) ACCOMMODATES THE PUBLIC; AND**

9 **(2) IS EQUIPPED WITH FIVE OR MORE OUTLETS FOR PREPARING AND**
10 **SERVING REGULAR MEALS THAT MAY BE CONSUMED BY PATRONS IN A COMMON**
11 **SEATING AREA OR ANYWHERE ELSE ON THE PREMISES.**

12 **(B) THERE IS A MARKETPLACE LICENSE.**

13 **(C) THE BOARD MAY ISSUE A MARKETPLACE LICENSE ONLY TO**
14 **INDIVIDUALS ON BEHALF OF THE PERSON, FIRM, OR CORPORATION THAT OWNS OR**
15 **LEASES THE MARKETPLACE.**

16 **(D) (1) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL BEER,**
17 **WINE, AND LIQUOR FROM ONE OR MORE OUTLETS WITHIN THE MARKETPLACE BY**
18 **THE DRINK OR BY THE BOTTLE FOR ON–PREMISES CONSUMPTION.**

19 **(2) A LICENSE HOLDER MAY OBTAIN:**

20 **(I) A REFILLABLE CONTAINER PERMIT UNDER § 23–1102 OF**
21 **THIS TITLE TO SELL DRAFT BEER FOR OFF–PREMISES CONSUMPTION; AND**

22 **(II) A NONREFILLABLE CONTAINER PERMIT UNDER § 23–1104**
23 **OF THIS TITLE TO SELL DRAFT BEER FOR OFF–PREMISES CONSUMPTION.**

1 **(E) THE MARKETPLACE SHALL HAVE:**

2 **(1) A MINIMUM CAPITAL INVESTMENT, NOT INCLUDING THE COST OF**
3 **LAND AND BUILDINGS, OF \$1,000,000 FOR MARKETPLACE FACILITIES;**

4 **(2) A MINIMUM SEATING CAPACITY OF 75 INDIVIDUALS;**

5 **(3) A MINIMUM CAPACITY OF 200 INDIVIDUALS AND A MAXIMUM**
6 **CAPACITY OF 500 INDIVIDUALS, AS DETERMINED BY THE COUNTY DEPARTMENT OF**
7 **FIRE AND RESCUE SERVICES; AND**

8 **(4) AVERAGE DAILY RECEIPTS FROM THE SALE OF FOOD THAT ARE AT**
9 **LEAST 51% OF THE TOTAL DAILY RECEIPTS OF THE MARKETPLACE.**

10 **(F) THE HOURS OF SALE FOR THE LICENSE ARE THE SAME AS THE HOURS**
11 **OF SALE FOR CLASS B BEER, WINE, AND LIQUOR LICENSES UNDER § 23-2004(B) OF**
12 **THIS TITLE.**

13 **(G) (1) THE ANNUAL LICENSE FEE IS \$6,000.**

14 **(2) IN ADDITION TO THE ANNUAL LICENSE FEE, THE LICENSE HOLDER**
15 **SHALL PAY ANNUALLY:**

16 **(I) \$500, IF THE LICENSE HOLDER PROVIDES LIVE**
17 **ENTERTAINMENT; AND**

18 **(II) \$200, IF THE LICENSE HOLDER PROVIDES OUTDOOR TABLE**
19 **SERVICE.**

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
21 1, 2018.