

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. 06–19**

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 the license holder to sell
7 beer, wine, and liquor within the marketplace under certain conditions; authorizing
8 a license holder to obtain a refillable container permit and a nonrefillable container
9 permit under certain conditions; specifying certain standards to be met by the
10 marketplace; defining a certain term; and generally relating to alcoholic beverages
11 in Howard County.

12 BY repealing and reenacting, without amendments,
13 Article – Alcoholic Beverages
14 Section 23–102
15 Annotated Code of Maryland
16 (2016 Volume and 2018 Supplement)

17 BY adding to
18 Article – Alcoholic Beverages
19 Section 23–1004.1

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



1 Annotated Code of Maryland
2 (2016 Volume and 2018 Supplement)

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

5 **Article – Alcoholic Beverages**

6 23–102.

7 This title applies only in Howard County.

8 **23–1004.1.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
23 1, 2019.