

Bill No.: \_\_\_\_\_  
Requested: \_\_\_\_\_  
Committee: \_\_\_\_\_

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By: **Senator Lam**

A BILL ENTITLED

1 AN ACT concerning

2 **Howard County – Alcoholic Beverages – Minimum Food Sales Requirement**

3 **Ho. Co. 18-20**

4 FOR the purpose of exempting, in Howard County, certain license holders from a certain  
5 minimum food sales requirement; making a stylistic change; and generally relating  
6 to alcoholic beverages in Howard County.

7 BY repealing and reenacting, without amendments,  
8 Article – Alcoholic Beverages  
9 Section 2–201, 2–203(a) and (b), 23–102, and 23–401(a)(1) through (3)  
10 Annotated Code of Maryland  
11 (2016 Volume and 2019 Supplement)

12 BY repealing and reenacting, with amendments,  
13 Article – Alcoholic Beverages  
14 Section 23–905  
15 Annotated Code of Maryland  
16 (2016 Volume and 2019 Supplement)

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

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



**Article – Alcoholic Beverages**

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2–201.

Each license specified in this subtitle is a manufacturer’s license that the Comptroller issues.

2–203.

(a) There is a Class 9 limited distillery license.

(b) The limited distillery license may be issued only to a holder of a:

(1) Class D beer, wine, and liquor license where sales for both on- and off-premises consumption are permitted for use on the premises for which the Class D license was issued; or

(2) Class B beer, wine, and liquor license where sales for both on- and off-premises consumption are permitted for use on the premises for which the Class B license was issued.

23–102.

This title applies only in Howard County.

23–401.

(a) The following sections of Title 2, Subtitle 2 (“Manufacturer’s Licenses”) of Division I of this article apply in the county without exception or variation:

(1) § 2–201 (“Issuance by Comptroller”);

(2) § 2–202 (“Class 1 distillery license”);

(3) § 2–203 (“Class 9 limited distillery license”);

23–905.

1 (a) There [are] IS:

2 (1) a Class D beer, wine, and liquor (on-sale) 6-day license;

3 (2) a Class D beer, wine, and liquor (on-sale) 7-day license;

4 (3) a Class D beer, wine, and liquor (on- and off-sale) 6-day license; and

5 (4) a Class D beer, wine, and liquor (on- and off-sale) 7-day license.

6 (b) (1) An on-sale license under this section authorizes the license holder to  
7 sell beer, wine, and liquor at retail at the place described in the license for on-premises  
8 consumption.

9 (2) An on- and off-sale license under this section authorizes the license  
10 holder to sell beer, wine, and liquor at retail at the place described in the license for  
11 on- and off-premises consumption.

12 (c) The license may not be issued for use by a drugstore.

13 (d) (1) **THIS SUBSECTION DOES NOT APPLY TO A LICENSE HOLDER THAT**  
14 **HOLDS BOTH A MANUFACTURER’S LICENSE AND A CLASS D BEER, WINE, AND**  
15 **LIQUOR LICENSE.**

16 [(1)] (2) Before the initial issuance of a license under subsection (a)(4) of  
17 this section, the owner shall attest in a sworn statement that gross receipts from food sales  
18 will be at least equal to 20% of the gross receipts from the sale of food and alcoholic  
19 beverages.

20 [(2)] (3) Before each renewal of a license issued under subsection (a)(4) of  
21 this section, the owner shall attest in a sworn statement that the gross receipts from food  
22 sales for the 12-month period immediately preceding the application for renewal were at  
23 least equal to 20% of the gross receipts from the sale of food and alcoholic beverages.

24 (e) The annual license fees are:

25 (1) \$600 for a 6-day (on-sale) license;

- 1           (2)    \$1,000 for a 7-day (on-sale) license;
- 2           (3)    \$800 for a 6-day (on- and off-sale) license; and
- 3           (4)    \$1,000 for a 7-day (on- and off-sale) license.

4           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
5 1, 2020.