

Bill No.: _____
Requested: _____
Committee: _____

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By: **Delegate C. Watson**

A BILL ENTITLED

1 AN ACT concerning

2 **Howard County – Alcoholic Beverages – Class B Beer, Wine, and Liquor License**
3 **– Off-Premises Consumption**

4 **Ho. Co. 04–21**

5 FOR the purpose of authorizing the holder of a certain Class B beer, wine, and liquor license
6 in Howard County to sell beer, wine, and liquor for off–premises consumption,
7 subject to certain requirements; repealing certain provisions that authorize the
8 Board of License Commissioners for Howard County to issue a certain permit to a
9 certain holder of a certain Class B beer, wine, and liquor license; and generally
10 relating to alcoholic beverages in Howard County.

11 BY repealing and reenacting, without amendments,
12 Article – Alcoholic Beverages
13 Section 23–102
14 Annotated Code of Maryland
15 (2016 Volume and 2020 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Alcoholic Beverages
18 Section 23–902
19 Annotated Code of Maryland

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



1 (2016 Volume and 2020 Supplement)

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

4 **Article – Alcoholic Beverages**

5 23–102.

6 This title applies only in Howard County.

7 23–902.

8 (a) There is a Class B beer, wine, and liquor license.

9 (b) The Board may issue the license to the owner of a hotel that:

10 (1) is in a building at least three stories tall that was originally constructed
11 for hotel purposes;

12 (2) has a capital investment of at least \$500,000; and

13 (3) contains:

14 (i) at least one passenger elevator;

15 (ii) at least 100 rooms to accommodate the public; and

16 (iii) a dining room with facilities for preparing and serving regular
17 meals for at least 125 individuals at one seating.

18 (c) The license authorizes the license holder to sell [beer, wine, and liquor at
19 retail] at a hotel or restaurant at the place described in the license:

20 (1) **BEER, WINE, AND LIQUOR AT RETAIL** for on–premises consumption;

21 **AND**

22 (2) **BEER, WINE, AND LIQUOR IN SEALED CONTAINERS THAT CONTAIN**

1 **NOT MORE THAN A SINGLE SERVING IN EACH CONTAINER FOR OFF-PREMISES**
2 **CONSUMPTION ONLY TO A PERSON WHO HAS PURCHASED FOOD OR ALCOHOL FROM**
3 **THE LICENSED PREMISES.**

4 [(d) (1) There is a beer and wine (B-SBW) off-sale permit.

5 (2) The Board may issue the permit only to a holder of the Class B beer,
6 wine, and liquor license that is issued for a restaurant.

7 (3) A holder of the permit:

8 (i) may sell beer and wine for off-premises consumption only to
9 persons who have purchased food or alcohol from the licensed premises; and

10 (ii) may not display or provide shelving for beer or wine for
11 off-premises sales in areas of the establishment that are accessible to the public.

12 (4) The term of the permit is the same as that of the Class B beer, wine,
13 and liquor license that the applicant holds.

14 (5) Before the Board may issue the permit:

15 (i) the applicant shall complete the form that the Board provides;
16 and

17 (ii) the same advertising, posting of notice, and public hearing
18 requirements as those for Class B licenses shall be met.

19 (6) Off-sale alcoholic beverages receipts collected under the permit shall
20 be included in the calculation of average daily receipts from the sale of alcoholic beverages
21 in a restaurant under § 1-101 of this article.

22 (7) A holder of the permit may exercise the privileges of the permit only
23 when the licensed premises is open for business as a restaurant.

24 (8) The Board may adopt regulations to carry out this subsection, including
25 a limit on the number of permits to be issued.]

1 **(D) (1) THE LICENSE HOLDER MAY NOT DISPLAY OR PROVIDE SHELVING**
2 **FOR BEER, WINE, OR LIQUOR FOR OFF-PREMISES SALES IN AREAS OF THE**
3 **ESTABLISHMENT THAT ARE ACCESSIBLE TO THE PUBLIC.**

4 **(2) OFF-SALE ALCOHOLIC BEVERAGES RECEIPTS COLLECTED**
5 **UNDER THE LICENSE SHALL BE INCLUDED IN THE CALCULATION OF AVERAGE DAILY**
6 **RECEIPTS FROM THE SALE OF ALCOHOLIC BEVERAGES IN A RESTAURANT UNDER §**
7 **1-101 OF THIS ARTICLE.**

8 **(3) THE LICENSE HOLDER MAY SELL BEER, WINE, AND LIQUOR FOR**
9 **OFF-PREMISES CONSUMPTION ONLY WHEN THE LICENSED PREMISES IS OPEN FOR**
10 **BUSINESS AS A HOTEL OR RESTAURANT.**

11 (e) The Comptroller may issue one Class 8 farm brewery license and one Class 7
12 micro-brewery license to a license holder that holds not more than five Class B and six
13 Class BLX beer, wine, and liquor licenses.

14 (f) The annual license [fees are:

15 (1) \$1,000 for the Class B beer, wine, and liquor license; and

16 (2) \$500 for the off-sale beer and wine permit] **FEE IS \$1,000.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
18 1, 2021.