

# HOUSE BILL 137

A2

5lr0528

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By: **Charles County Delegation**

Introduced and read first time: January 27, 2015

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Charles County – Alcoholic Beverages – License Fees**

3 FOR the purpose of altering in Charles County fees for holders of certain alcoholic  
4 beverages licenses; altering in Charles County an annual fee for providing live  
5 entertainment or outdoor table service by a holder of a Class B–R (restaurant)  
6 on–sale beer, wine and liquor license, Class B–RB (restaurant/bar) on–sale beer,  
7 wine and liquor license, Class B–T (tavern) on–sale beer, wine and liquor license,  
8 Class B–N (nightclub) on–sale beer, wine and liquor license, or Class B–H (hotel)  
9 on–sale beer, wine and liquor license; and generally relating to fees for holders of  
10 alcoholic beverages licenses in Charles County.

11 BY repealing and reenacting, without amendments,  
12 Article 2B – Alcoholic Beverages  
13 Section 3–401(a)(1), 5–202(b)(1), 5–401(a)(1), 6–101(a)(1), 6–201(j)(1),  
14 6–301(a)(1) and (j)(1), 6–401(a)(1), 7–101(d)(1)(i), and 7–101(m)(1)  
15 Annotated Code of Maryland  
16 (2011 Replacement Volume and 2014 Supplement)

17 BY repealing and reenacting, with amendments,  
18 Article 2B – Alcoholic Beverages  
19 Section 3–401(j), 5–202(f), 5–401(j), 6–101(j)(1), 6–201(j)(2), (3), (4), (5), and (6),  
20 6–301(j)(2), 6–401(j), 7–101(d)(7) through (13), and 7–101(m)(2)  
21 Annotated Code of Maryland  
22 (2011 Replacement Volume and 2014 Supplement)

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

25 **Article 2B – Alcoholic Beverages**

26 3–401.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) (1) A Class D beer license shall be issued by the license issuing authority  
2 of the county in which the place of business is located. The holder of the license may keep  
3 for sale and sell beer at retail at the place described in the license. The beer may be  
4 consumed on the premises or elsewhere, but a license may not be issued for any drugstore.

5 (j) In Charles County the annual license fee is [~~\$180~~] **\$240**.  
6 5–202.

7 (b) (1) A Class H beer and light wine license shall be issued by the license  
8 issuing authority of the county in which the place of business is located. The license  
9 authorizes the holder to keep for sale and sell beer and light wines at retail at any hotel or  
10 restaurant, at the place described in the license, for consumption on the premises.

11 (f) In Charles County the annual license fee is [~~\$240~~] **\$340**.  
12 5–401.

13 (a) (1) A Class D beer and light wine license shall be issued by the license  
14 issuing authority of the county in which the place of business is located. The license  
15 authorizes its holder to keep for sale and to sell beer and light wines at retail, at the place  
16 described in the license, for consumption on the premises or elsewhere. The license may not  
17 be issued for any drugstore.

18 (j) In Charles County the annual license fee is [~~\$240~~] **\$340**.  
19 6–101.

20 (a) (1) A Class A beer, wine and liquor license shall be issued by the license  
21 issuing authority of the county in which the place of business is located. The license  
22 authorizes the holder to keep for sale and to sell all alcoholic beverages at retail, in any  
23 quantity, at the place described in the license. The licensee shall deliver the alcoholic  
24 beverages in a sealed package or container and the package or container may not be opened  
25 nor its contents consumed on the premises where sold.

26 (j) (1) In Charles County the annual license fee is [~~\$480~~] **\$960**.  
27 6–201.

28 (j) (1) This subsection applies only in Charles County.

29 (2) (i) There is a Class B–R (restaurant) on–sale beer, wine and liquor  
30 license, to be issued by the Board of License Commissioners.

31 (ii) The license authorizes the sale and consumption of beer, wine  
32 and liquor on the premises of a restaurant that:

- 1                                   1.     Is primarily engaged in the sale of food and nonalcoholic  
2 beverages for consumption on the premises; and
- 3                                   2.     Contains a dining room with facilities for preparing and  
4 serving meals.
- 5                                   (iii)  A license holder may not:
- 6                                   1.     Establish an area on the premises of the restaurant that  
7 is a bar; or
- 8                                   2.     Provide live entertainment.
- 9                                   (iv)  The annual license fee is \$360.
- 10                                  (v)  In addition to the annual license fee, a license holder shall  
11 annually pay ~~[\$200]~~ **\$400** if the license holder provides outdoor table service.
- 12                                  (3)  (i)    There is a Class B–RB (restaurant/bar) on–sale beer, wine and  
13 liquor license, to be issued by the Board of License Commissioners.
- 14                                  (ii)  The license authorizes the sale and consumption of beer, wine  
15 and liquor on the premises of a restaurant that:
- 16                                   1.     Is primarily engaged in the sale of food and nonalcoholic  
17 beverages for consumption on the premises;
- 18                                   2.     Contains a dining room with facilities for preparing and  
19 serving meals; and
- 20                                   3.     Contains an area commonly known as a bar, with stools to  
21 accommodate patrons with or without service of food.
- 22                                   (iii)  The annual license fee is \$460.
- 23                                   (iv)  In addition to the annual license fee, a license holder shall  
24 annually pay:
- 25                                   1.     ~~[\$200]~~ **\$400**, if the license holder provides live  
26 entertainment; and
- 27                                   2.     ~~[\$200]~~ **\$400**, if the license holder provides outdoor table  
28 service.
- 29                                  (4)  (i)    There is a Class B–T (tavern) on–sale beer, wine and liquor  
30 license, to be issued by the Board of Liquor License Commissioners.

1 (ii) The license authorizes the sale and consumption of beer, wine  
2 and liquor on the premises of a restaurant or bar that:

3 1. Is primarily engaged in selling and serving alcoholic  
4 beverages, on a drink-by-drink basis; and

5 2. Has a seating capacity of less than 100 people, as  
6 determined by the State Fire Marshal.

7 (iii) The annual license fee is \$460.

8 (iv) In addition to the annual license fee, a license holder shall  
9 annually pay:

10 1. ~~[\$200]~~ **\$400**, if the license holder provides live  
11 entertainment; and

12 2. ~~[\$200]~~ **\$400**, if the license holder provides outdoor table  
13 service.

14 (5) (i) There is a Class B-N (nightclub) on-sale beer, wine and liquor  
15 license, to be issued by the Board of License Commissioners.

16 (ii) The license authorizes the sale and consumption of beer, wine  
17 and liquor on the premises of a nightclub facility that:

18 1. Is primarily engaged in selling and serving alcoholic  
19 beverages, on a drink-by-drink basis; and

20 2. Has a seating capacity of more than 100 people, as  
21 determined by the State Fire Marshal.

22 (iii) The annual license fee is \$610.

23 (iv) In addition to the annual license fee, a license holder shall  
24 annually pay ~~[\$200]~~ **\$400** if the license holder provides live entertainment.

25 (6) (i) There is a Class B-H (hotel) on-sale beer, wine and liquor  
26 license, to be issued by the Board of License Commissioners.

27 (ii) The license authorizes the on premises sale and consumption of  
28 beer, wine and liquor in a hotel common area, for a premises primarily engaged in the  
29 day-to-day rental of hotel rooms.

30 (iii) The annual license fee is \$360.

1 (iv) In addition to the annual license fee, a license holder shall  
2 annually pay:

3 1. ~~[\$200]~~ **\$400**, if the license holder provides live  
4 entertainment; and

5 2. ~~[\$200]~~ **\$400**, if the license holder provides outdoor table  
6 service.

7 6–301.

8 (a) (1) Except as provided in subsection (n) of this section, a Class C beer, wine  
9 and liquor license shall be issued by the license issuing authority of the county in which  
10 the place of business is located. It authorizes the holder to keep for sale and sell all alcoholic  
11 beverages at retail at any club, at the place described in the license, for consumption on the  
12 premises only.

13 (j) (1) This subsection applies only in Charles County.

14 (2) The annual license fee is ~~[\$300]~~ **\$350**.

15 6–401.

16 (a) (1) A Class D beer, wine and liquor license shall be issued by the license  
17 issuing authority of the county in which the place of business is located. It authorizes the  
18 holder to keep for sale and sell all alcoholic beverages at retail at the place described in it,  
19 for consumption on the premises or elsewhere. A license may not be issued for any  
20 drugstore.

21 (j) (1) This subsection applies only in Charles County.

22 (2) The annual license fee:

23 (i) For on– and off–sale of all alcoholic beverages is ~~[\$1,140]~~ **\$1,320**;  
24 and

25 (ii) For off–sale for liquor and on– or off–sale for beer and wine is  
26 ~~[\$720]~~ **\$1,020**.

27 7–101.

28 (d) (1) (i) A special Class C beer, wine and liquor license entitles the holder  
29 to exercise any of the privileges conferred by this class of license for the use of any person  
30 holding a bona fide entertainment conducted by a club, society, or association at the place  
31 described for a period not exceeding seven consecutive days, upon the payment of a fee of  
32 \$15 per day.

1           (7) NOTWITHSTANDING PARAGRAPH (1)(I) OF THIS SUBSECTION, IN  
2 CHARLES COUNTY THE FEE IS \$25 PER DAY.

3           (8) In Dorchester County:

4           (i) A holder of a special Class C beer, wine and liquor license may  
5 cater an event at the place described in the license on the effective days of the license;

6           (ii) The fee is \$25 per day; and

7           (iii) A holder of a special Class C beer, wine and liquor license:

8                   1. Shall distribute at the event for which the license is issued  
9 a wristband to each individual who is at least 21 years old; and

10                   2. May not serve an alcoholic beverage to any individual who  
11 does not wear the wristband.

12           (iv) A person who violates this paragraph is subject to:

13                   1. For the first offense, a fine of \$50; and

14                   2. For the second offense, a fine not exceeding \$500 and  
15 denial of further requests for licenses for catering additional events.

16           [(8)] (9) In Frederick County the fee is \$30 per day.

17           [(9)] (10) In Garrett County, a holder of a special Class C beer, wine and  
18 liquor license may purchase beer and light wine from a wholesale dealer.

19           [(10)] (11) In Harford County the fee is \$30 per day.

20           [(11)] (12) Notwithstanding paragraph (1)(i) of this subsection, in  
21 Montgomery County:

22           (i) The fee is \$60 per day; and

23           (ii) Notwithstanding § 1-102(a)(4) of this article, the Board of  
24 License Commissioners may issue a one-day special Class C beer, wine and liquor license  
25 to a community swimming pool club.

26           [(12)] (13) (i) This paragraph applies only in Prince George's County.

27           (ii) Except as provided in item (iii) of this paragraph, the fee is \$200  
28 per day.

1 (iii) For a club, society, or association holding a casino or gambling  
2 event, the fee is \$150 per day, which shall be paid by the club, society, or association and  
3 shall be considered as part of the club's, society's, or association's special license fee.

4 (iv) When the Board of License Commissioners issues a license under  
5 this paragraph, the Board shall notify the chief of police, the fire chief, the director of the  
6 Department of Environmental Resources, and, if applicable, the municipal corporation in  
7 which the event is to be held, as to the time, place, and expected size of the event for which  
8 the license is issued.

9 (v) The Board of License Commissioners may deny an application  
10 for this license if it is determined that the applicant does not qualify under the provisions  
11 of this article.

12 ~~[(13)]~~ (14) In Wicomico County the fee is \$45 per day.

13 (m) (1) This subsection applies only in Charles County.

14 (2) The Board of License Commissioners may issue a special Class D  
15 (on-sale) beer permit to any bona fide religious, fraternal, civic, veterans', hospital or  
16 charitable organization for a period not exceeding ten consecutive days from the effective  
17 date of the license, subject to any conditions the Board may impose on the issuance of this  
18 permit. The fee for this permit is ~~[\$25]~~ \$45.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
20 1, 2015.