

## Chapter 293

**(House Bill 1069)**

AN ACT concerning

**Prince George's County – Alcoholic Beverages – Entertainment Concessionaire  
and Facility Licenses****PG 311-16**

FOR the purpose of authorizing the Board of License Commissioners for Prince George's County to issue an entertainment concessionaire license to certain persons for certain purposes; providing for the scope of the entertainment concessionaire license; authorizing the Board to issue an entertainment facility license to certain persons for certain purposes; providing for the scope of the entertainment facility license; providing that beer, wine, and liquor sold under an entertainment concessionaire license or an entertainment facility license may be taken and consumed anywhere in the entertainment facility; specifying that the licenses authorize the playing of music and dancing; authorizing certain license holders to ~~provide complimentary~~ accept customer-earned credits for the service of food and alcoholic beverages in an entertainment facility for consumption in the facility ~~and for off-premises consumption, subject to a certain exception~~; specifying the hours of sale for the licenses; ~~specifying that certain licenses authorize the sale of beer, wine, and liquor for off-premises consumption from certain retail outlets~~; specifying that certain licenses authorize the sale and consumption of beer, wine, and liquor in a certain lounge in which the holder of the license may serve and sell ~~cigars, for smoking in the lounge,~~ and food; providing that certain provisions relating to a special Sunday license do not apply to an entertainment facility license or an entertainment concessionaire license; providing that license holders that seek to provide entertainment are not required to obtain a certain special entertainment permit; providing that license holders that seek to allow dancing are not required to obtain a local dance license issued by Prince George's County; providing for the annual fees and payment date for the licenses; providing for the application to certain persons of certain penalties and sanctions for violations occurring on certain premises; defining certain terms; and generally relating to alcoholic beverages and entertainment facilities in Prince George's County.

BY adding to

Article – Alcoholic Beverages

Section 26-1009.1 and 26-1009.2

Annotated Code of Maryland

(As enacted by Chapter \_\_\_ (S.B. \_\_\_)(6LR1406) of the Acts of the General Assembly of 2016)

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

**Article – Alcoholic Beverages**

**26-1009.1.**

**(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(2) “CONCESSIONAIRE” MEANS A LESSEE, A SUBLESSEE, OR ANY OTHER OPERATOR OF AN ESTABLISHMENT THAT:**

**(I) ENGAGES IN THE DAILY SALE OF BEER, WINE, AND LIQUOR ON ITS PREMISES FOR:**

**~~1.~~ CONSUMPTION ANYWHERE IN AN ENTERTAINMENT FACILITY; AND**

**~~2. OFF PREMISES CONSUMPTION IN A SEALED CONTAINER AS PROVIDED IN THIS SECTION; AND~~**

**(II) OPERATES A CONCESSION ADJACENT TO BUT INDEPENDENT OF THE ENTERTAINMENT FACILITY.**

**(3) “ENTERTAINMENT FACILITY” MEANS A FACILITY THAT HOLDS A LICENSE UNDER TITLE 9, SUBTITLE 1A OF THE STATE GOVERNMENT ARTICLE.**

**(B) THERE IS AN ENTERTAINMENT CONCESSIONAIRE LICENSE.**

**(C) (1) THE BOARD MAY ISSUE THE LICENSE TO A CONCESSIONAIRE OPERATING IN CONJUNCTION WITH AN ENTERTAINMENT FACILITY.**

**(2) THE LICENSE AUTHORIZES:**

**(I) THE LICENSE HOLDER TO SELL BEER, WINE, AND LIQUOR BY THE GLASS OR BY THE BOTTLE ON THE PREMISES OF THE CONCESSIONAIRE FOR CONSUMPTION ANYWHERE IN THE ENTERTAINMENT FACILITY, INCLUDING A HOTEL; AND**

**(II) THE PLAYING OF MUSIC AND DANCING ON THE LICENSED PREMISES.**

**(3) BEER, WINE, AND LIQUOR PURCHASED UNDER THE LICENSE MAY BE TAKEN INTO AND CONSUMED ANYWHERE IN AN ENTERTAINMENT FACILITY, INCLUDING A HOTEL.**

(4) (I) ~~EXCEPT AS PROVIDED IN PARAGRAPH (5) OF THIS SUBSECTION, THE~~ THE LICENSE AUTHORIZES THE LICENSE HOLDER TO PROVIDE COMPLIMENTARY ACCEPT CUSTOMER-EARNED CREDITS FOR THE SERVICE OF FOOD AND ALCOHOLIC BEVERAGES IN ANY LOCATION OF THE ENTERTAINMENT FACILITY, INCLUDING A HOTEL, THAT IS NOT COVERED BY AN ENTERTAINMENT CONCESSIONAIRE LICENSE FOR:

~~1. CONSUMPTION ANYWHERE IN THE ENTERTAINMENT FACILITY; AND~~

~~2. OFF PREMISES CONSUMPTION IN A SEALED CONTAINER.~~

(II) ~~BEER, WINE, AND LIQUOR PROVIDED ON A COMPLIMENTARY BASIS UNDER THE LICENSE~~ SERVED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY BE TAKEN AND CONSUMED ANYWHERE IN AN ENTERTAINMENT FACILITY, INCLUDING A HOTEL.

~~(5) THE LICENSE HOLDER MAY NOT PROVIDE COMPLIMENTARY SERVICE OF FOOD AND ALCOHOLIC BEVERAGES ON A GAMING FLOOR, EXCEPT IN DESIGNATED PREMIUM PLAYER AREAS.~~

~~(6)~~ (5) THE HOURS OF SALE FOR THE LICENSE ARE THE SAME AS THE HOURS OF OPERATION FOR A VIDEO LOTTERY FACILITY ESTABLISHED UNDER § 9-1A-23 OF THE STATE GOVERNMENT ARTICLE.

~~(7) THE LICENSE AUTHORIZES THE SALE OF BEER, WINE, AND LIQUOR FOR OFF PREMISES CONSUMPTION IN A SEALED CONTAINER FROM MULTIPLE RETAIL OUTLETS COMPRISING NO MORE THAN A TOTAL OF 1,000 SQUARE FEET.~~

~~(8)~~ (6) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE LICENSE AUTHORIZES THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES UNDER THE LICENSE IN A LOUNGE THAT IS NO MORE THAN 2,000 SQUARE FEET IN WHICH THE HOLDER OF THE LICENSE MAY SERVE AND SELL ~~CIGARS, FOR SMOKING IN THE LOUNGE, AND~~ FOOD.

(D) A LICENSE HOLDER IS NOT REQUIRED TO OBTAIN A SUNDAY SALES LICENSE UNDER THIS TITLE TO SELL ALCOHOLIC BEVERAGES AFTER 2 A.M. ON SUNDAY.

(E) THE LICENSE MAY NOT BE COUNTED AS A CLASS B OR CLASS H LICENSE FOR PURPOSES OF § 26-1601 OF THIS TITLE.

**(F) A LICENSE HOLDER THAT SEEKS TO PROVIDE ENTERTAINMENT IS NOT REQUIRED TO OBTAIN A SPECIAL ENTERTAINMENT PERMIT UNDER § 26-1103 OF THIS TITLE.**

**(G) A LICENSE HOLDER THAT SEEKS TO ALLOW DANCING IS NOT REQUIRED TO OBTAIN A LOCAL DANCE LICENSE ISSUED BY THE COUNTY.**

**(H) (1) THE ANNUAL FEE FOR THE LICENSE IS \$5,000.**

**(2) THE FEE SHALL BE PAID ON OR BEFORE MAY 1 OF EACH YEAR TO THE BOARD.**

**(I) ANY PENALTY OR OTHER SANCTION THAT IS IMPOSED FOR A VIOLATION OF A REGULATION OF THE BOARD ON THE LICENSED PREMISES OF THE HOLDER OF AN ENTERTAINMENT FACILITY LICENSE UNDER § 26-1009.2 OF THIS SUBTITLE SHALL APPLY TO THE HOLDER OF A CONCESSIONAIRE'S LICENSE THAT THE BOARD DETERMINES TO BE RESPONSIBLE FOR THE VIOLATION.**

**26-1009.2.**

**(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(2) "CONCESSIONAIRE" HAS THE MEANING STATED IN § 26-1009.1 OF THIS SUBTITLE.**

**(3) "ENTERTAINMENT FACILITY" MEANS A FACILITY THAT HOLDS A LICENSE UNDER TITLE 9, SUBTITLE 1A OF THE STATE GOVERNMENT ARTICLE.**

**(B) THERE IS AN ENTERTAINMENT FACILITY LICENSE.**

**(C) (1) THE BOARD MAY ISSUE THE LICENSE FOR THE USE OF AN ENTERTAINMENT FACILITY THAT CONTAINS ONE OR MORE FOOD SERVICE FACILITIES, BARS, OR LOUNGES THAT ARE PART OF THE OPERATION OF THE ENTERTAINMENT FACILITY.**

**(2) (I) THE LICENSE SHALL BE ISSUED TO AN INDIVIDUAL OR ENTITY THAT OWNS AN ENTERTAINMENT FACILITY AND HOLDS A LICENSE UNDER TITLE 9, SUBTITLE 1A OF THE STATE GOVERNMENT ARTICLE.**

**(II) AN APPLICANT FOR THE LICENSE NEED NOT MEET ANY LOCATION, VOTING, OR RESIDENCY REQUIREMENTS.**

**(3) THE LICENSE AUTHORIZES:**

**(I) THE LICENSE HOLDER TO SELL BEER, WINE, AND LIQUOR BY THE GLASS OR BY THE BOTTLE IN ANY LOCATION OF THE ENTERTAINMENT FACILITY, INCLUDING A HOTEL, THAT IS NOT COVERED BY AN ENTERTAINMENT CONCESSIONAIRE LICENSE FOR CONSUMPTION ANYWHERE IN THE ENTERTAINMENT FACILITY; AND**

**(II) THE PLAYING OF MUSIC AND DANCING ON THE LICENSED PREMISES.**

**(4) BEER, WINE, AND LIQUOR PURCHASED UNDER THE LICENSE MAY BE TAKEN AND CONSUMED ANYWHERE IN AN ENTERTAINMENT FACILITY, INCLUDING A HOTEL.**

**(5) (I) ~~EXCEPT AS PROVIDED IN PARAGRAPH (6) OF THIS SUBSECTION, THE~~ THE LICENSE AUTHORIZES THE LICENSE HOLDER TO ~~PROVIDE COMPLIMENTARY~~ ACCEPT CUSTOMER-EARNED CREDITS FOR THE SERVICE OF FOOD AND ALCOHOLIC BEVERAGES IN ANY LOCATION OF THE ENTERTAINMENT FACILITY, INCLUDING A HOTEL, THAT IS NOT COVERED BY AN ENTERTAINMENT CONCESSIONAIRE LICENSE FOR:**

**~~1. CONSUMPTION ANYWHERE IN THE ENTERTAINMENT FACILITY; AND~~**

**~~2. OFF-PREMISES CONSUMPTION IN A SEALED CONTAINER.~~**

**(II) BEER, WINE, AND LIQUOR ~~PROVIDED ON A COMPLIMENTARY BASIS UNDER THE LICENSE~~ SERVED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY BE TAKEN AND CONSUMED ANYWHERE IN AN ENTERTAINMENT FACILITY, INCLUDING A HOTEL.**

**~~(6) THE LICENSE HOLDER MAY NOT PROVIDE COMPLIMENTARY SERVICE OF FOOD AND ALCOHOLIC BEVERAGES ON A GAMING FLOOR, EXCEPT IN DESIGNATED PREMIUM PLAYER AREAS.~~**

**~~(7)~~ (6) THE HOURS OF SALE FOR THE LICENSE ARE THE SAME AS THE HOURS OF OPERATION FOR A VIDEO LOTTERY FACILITY ESTABLISHED UNDER § 9-1A-23 OF THE STATE GOVERNMENT ARTICLE.**

**~~(8) THE LICENSE AUTHORIZES THE SALE OF BEER, WINE, AND LIQUOR FOR OFF-PREMISES CONSUMPTION IN A SEALED CONTAINER FROM MULTIPLE RETAIL OUTLETS COMPRISING NO MORE THAN A TOTAL OF 1,000 SQUARE FEET.~~**

~~(9)~~ **(7)** NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE LICENSE AUTHORIZES THE SALE AND CONSUMPTION OF BEER, WINE, AND LIQUOR IN A LOUNGE THAT IS NO MORE THAN 2,000 SQUARE FEET IN WHICH THE HOLDER OF THE LICENSE MAY SERVE AND SELL ~~CIGARS, FOR SMOKING IN THE LOUNGE, AND~~ FOOD.

**(D)** A LICENSE HOLDER IS NOT REQUIRED TO OBTAIN A SUNDAY SALES LICENSE TO SELL ALCOHOLIC BEVERAGES AFTER 2 A.M. ON SUNDAY.

**(E)** THE LICENSE MAY NOT BE COUNTED AS A CLASS B OR CLASS H LICENSE FOR PURPOSES OF § 26-1601 OF THIS TITLE.

**(F)** A LICENSE HOLDER THAT SEEKS TO PROVIDE ENTERTAINMENT IS NOT REQUIRED TO OBTAIN A SPECIAL ENTERTAINMENT PERMIT UNDER § 26-1103 OF THIS TITLE.

**(G)** A LICENSE HOLDER THAT SEEKS TO ALLOW DANCING IS NOT REQUIRED TO OBTAIN A LOCAL DANCE LICENSE ISSUED BY THE COUNTY.

**(H) (1)** THE ANNUAL FEE FOR THE LICENSE IS \$22,000.

**(2)** THE FEE SHALL BE PAID ON OR BEFORE MAY 1 OF EACH YEAR TO THE BOARD.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2016.

Approved by the Governor, April 26, 2016.