

HOUSE BILL 567

A2

0lr0691

By: **Prince George's County Delegation**

Introduced and read first time: February 3, 2010

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 16, 2010

CHAPTER _____

1 AN ACT concerning

2 **Prince George's County – Alcoholic Beverages – License Fees and Salaries of**
3 **Inspectors**

4 **PG 305–10**

5 FOR the purpose of altering the fees for certain alcoholic beverages licenses in
6 George's County; repealing a certain alcoholic beverages license in Prince
7 George's County; increasing the percentage of alcohol by volume in wine for
8 consumption purposes allowed under a certain wine tasting license in Prince
9 George's County; requiring that alcoholic beverages inspectors in Prince
10 George's County shall receive a certain annual salary; and generally relating to
11 alcoholic beverages in Prince George's County.

12 BY repealing and reenacting, with amendments,

13 Article 2B – Alcoholic Beverages

14 Section 3–101(r), 3–201(r)(1), 3–301(r), 3–401(r), 5–101(r), 5–201(r)(2) and
15 (4)(ii), 5–301(r), 5–401(r), 6–101(r), 6–201(r)(2)(i)1., (ii)2., and (iii)2., (3)(i),
16 (5)(ii), (6)(ii), (8)(ii), (9)(ii), (10)(ii), (11)(ii), (12)(ii), (13)(ii), (14)(ii), (15)(iii),
17 (16)(iii), and (17)(iii), 6–301(r)(2)(ii), (3)(ii), (4)(ii), (5)(ii), (6)(ii), and (7)(ii),
18 7–101(b)(11)(i), (d)(11)(i), and (x), 8–409(a), 8–505(b)(5), 8–702(e)(1), ~~and~~
19 8–1001(e), and 15–109(r)(6)

20 Annotated Code of Maryland

21 (2005 Replacement Volume and 2009 Supplement)

22 BY repealing and reenacting, without amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Article 2B – Alcoholic Beverages
 2 Section 5–201(r)(1) and (4)(i) and (iii), 6–201(r)(1)(i), (2)(i)2., (ii)1., and (iii)1.,
 3 (5)(i), (6)(i), (8)(i), (9)(i), (10)(i), (11)(i), (12)(i), (13)(i), (14)(i), (15)(i),
 4 (16)(ii), and (17)(i), 6–301(r)(1), (2)(i), (3)(i), (4)(i), (5)(i), (6)(i), and (7)(i),
 5 7–101(b)(11)(ii) and (d)(11)(ii), 8–702(b) and (c), ~~and~~ 8–1001(b) and (c),
 6 and 15–109(r)(1)
 7 Annotated Code of Maryland
 8 (2005 Replacement Volume and 2009 Supplement)

9 BY repealing
 10 Article 2B – Alcoholic Beverages
 11 Section 6–201(r)(7)
 12 Annotated Code of Maryland
 13 (2005 Replacement Volume and 2009 Supplement)

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

16 **Article 2B – Alcoholic Beverages**

17 3–101.

18 (r) In Prince George’s County the annual license fee is **[\$220] \$245.**

19 3–201.

20 (r) (1) In Prince George’s County the annual license fee is **[\$330] \$365.**

21 3–301.

22 (r) In Prince George’s County the annual license fee is **[\$220] \$245.**

23 3–401.

24 (r) In Prince George’s County the annual license fee is **[\$330] \$365.**

25 5–101.

26 (r) In Prince George’s County the annual license fee is **[\$220] \$245.**

27 5–201.

28 (r) (1) This subsection applies only in Prince George’s County.

29 (2) The annual license fee is **[\$330] \$365.**

30 (4) (i) There is a Class B–Stadium beer and light wine license.

1 (ii) The annual license fee is [~~\$2,200~~] **\$2,420**.

2 (iii) The license is a special 7-day Class B–Stadium (baseball
3 stadium) license for on–sale consumption only for exclusive use on the premises of a
4 baseball stadium owned or operated by the Maryland–National Capital Park and
5 Planning Commission.

6 5–301.

7 (r) In Prince George’s County the annual license fee is [~~\$220~~] **\$245**.

8 5–401.

9 (r) In Prince George’s County the annual license fee is [~~\$330~~] **\$365**.

10 6–101.

11 (r) In Prince George’s County the annual license fee is [~~\$825~~] **\$910**.

12 6–201.

13 (r) (1) (i) This subsection applies only in Prince George’s County.

14 (2) (i) 1. The annual license fee is [~~\$1,320~~] **\$1,455**.

15 2. The licensee may not make any sale of alcoholic
16 beverages for consumption off the licensed premises except from the main bar and
17 within the main portion of the dining room facilities.

18 (ii) 1. A separate license fee may be charged whenever the
19 applicant for or holder of a Class B (on–sale) beer, wine and liquor license proposes to
20 or in fact establishes and conducts on the licensed premises, an area or portion of
21 these licensed premises, where there are maintained “off–sale” shelves or counters not
22 contained within and an integral part of the main bar and in the main dining facilities
23 where the majority of the meals are served and consumed in the licensed premises
24 (whether enclosed or opened, partitioned or otherwise partly separated from the main
25 bar or the usual serving area within these premises for the sale of alcoholic beverages
26 for consumption on the premises and not part of the premises where the major portion
27 of meals are served and consumed in these licensed premises) for the sale of alcoholic
28 beverages for consumption off the licensed premises.

29 2. The annual license fee is [~~\$2,200~~] **\$2,420**.

30 (iii) 1. The license holder under this subsection may sell
31 alcoholic beverages for consumption off the premises from any portion of these
32 premises other than from the main bar, or the usual place maintained for sale of

1 (iv) The Board shall prescribe regulations pertaining to the
2 manner of dispensing alcoholic beverages, the number of outlets authorized to
3 dispense alcoholic beverages, and the hours and days of sale.

4 (v) The licensee is subject to all of the provisions of this article
5 and to the regulations of the Board.

6 (vi) The residency requirements specified in § 9–101 of this
7 article as it pertains to Prince George’s County do not apply to arena licenses.]

8 (8) (i) There is a Class BCE license.

9 (ii) The annual license fee is [~~\$3,300~~] **\$3,630**.

10 (9) (i) There is a Class B/ECF license.

11 (ii) The annual fee is [~~\$3,850~~] **\$4,325**.

12 (10) (i) There is a special Class B license known as Class B–CI.

13 (ii) The annual license fee is [~~\$1,375~~] **\$1,515**.

14 (11) (i) There is a Class B–ECR license.

15 (ii) The annual license fee is [~~\$2,200~~] **\$2,420**.

16 (12) (i) There is a Class B–ECF/DS license.

17 (ii) The annual license fee is [~~\$6,750~~] **\$7,425**.

18 (13) (i) There is a Class B beer, wine and liquor stadium license.

19 (ii) The annual license fee is [~~\$19,800~~] **\$21,780**.

20 (14) (i) There is a Class B–MB/22 license, which may be issued only
21 to a holder of a Class 7 micro–brewery license in the 22nd legislative district.

22 (ii) The annual license fee is [~~\$990~~] **\$1,090**.

23 (15) (i) There is a Class B–DD (development district) 7–day beer,
24 wine and liquor license.

25 (iii) The annual license fee is [~~\$2,750~~] **\$3,025**.

26 (16) (ii) There is a Class B (TP) beer, wine and liquor theme park
27 license.

1 (iii) The annual license fee is [~~\$3,900~~] **\$4,290**.

2 (17) (i) There is a Class B–CC (convention center) beer, wine and
3 liquor license.

4 (iii) The annual license fee is [~~\$20,000~~] **\$22,000**.

5 6–301.

6 (r) (1) This subsection applies only in Prince George’s County.

7 (2) (i) There is a veterans’ license.

8 (ii) The annual license fee is [~~\$825~~] **\$910**.

9 (3) (i) There is a fraternal/sororal/service license.

10 (ii) The annual license fee is [~~\$825~~] **\$910**.

11 (4) (i) There is a special Class C (yacht club) license in Prince
12 George’s County.

13 (ii) The annual license fee is [~~\$1,430~~] **\$1,575**.

14 (5) (i) There is a special Class C (golf and country club) license.

15 (ii) The annual license fee is [~~\$1,650~~] **\$1,815**.

16 (6) (i) There is a special Class C (country club) license.

17 (ii) The annual license fee is [~~\$1,000~~] **\$1,100**.

18 (7) (i) There is a special Class C (concession) beer, wine and liquor
19 license.

20 (ii) The annual license fee is [~~\$1,650~~] **\$1,815**. The fee shall be
21 paid prior to its issuance, regardless of any terms or conditions in any contractual
22 agreement between the concessionaire and Prince George’s County.

23 7–101.

24 (b) (11) In Prince George’s County:

25 (i) Except as provided in item (ii) of this paragraph, the fee is
26 [~~\$50~~] **\$75** per day;

1 (ii) For a club, society, or association holding a casino or
2 gambling event, the fee is \$100 per day, which shall be paid by the club, society, or
3 association and shall be considered as part of the club's, society's, or association's
4 special license fee; and

5 (d) (11) In Prince George's County:

6 (i) Except as provided in item (ii) of this paragraph, the fee is
7 **[\$150] \$200** per day;

8 (ii) For a club, society, or association holding a casino or
9 gambling event, the fee is \$150 per day, which shall be paid by the club, society, or
10 association and shall be considered as part of the club's, society's, or association's
11 special license fee; and

12 (x) (1) This subsection applies only in Prince George's County.

13 (2) The Board of License Commissioners may issue a special 3-day
14 Class C beer, wine and liquor license to a nonprofit organization that is exempt from
15 taxation under § 501(c)(3) of the Internal Revenue Code.

16 (3) The special license entitles the holder to sell beer, wine, or liquor
17 at the National Harbor.

18 (4) Beer, wine, and liquor sold under the special license may be
19 consumed on or off the premises.

20 (5) The fee for a special license is **[\$150] \$200** per day.

21 (6) The special license may not be issued to any one organization for
22 more than 3 consecutive days in a single calendar year.

23 (7) (i) A holder of the special license shall purchase beer, wine, or
24 liquor only from a wholesaler licensed in the State.

25 (ii) A wholesaler licensed in the State may donate alcoholic
26 beverages to the holder of the special license.

27 8-409.

28 (a) (1) In Prince George's County, the Board of License Commissioners
29 may approve the issuance of a wine tasting (WT) alcoholic beverages license.

30 (2) The license is issued only to holders of a beer, wine and liquor
31 (BWL) or a beer and wine (BW) license.

1 (3) The license permits the consumption of wine, containing not more
2 than [14] **15.5** percent of alcohol by volume, for tasting or sampling purposes only.

3 (4) The licensee may not serve more than 1 ounce from each given
4 brand to any one person.

5 (5) The annual license fee:

6 (i) For holders of a BWL license, is [\$110] **\$120** in addition to
7 the cost of the BWL license; and

8 (ii) For holders of a BW license, is [\$110] **\$120** in addition to
9 the cost of the BW license.

10 8-505.

11 (b) (5) The annual fee for a special 7-day Class B-GC on-sale beer and
12 wine license is [\$330] **\$365**.

13 8-702.

14 (b) This section applies only in the City of Greenbelt, Prince George's
15 County.

16 (c) There is a Class B-DH (draffhouse) license.

17 (e) (1) The annual license fee is [\$220] **\$245**.

18 8-1001.

19 (b) This section applies only in Prince George's County.

20 (c) There is a Class B-RD license.

21 (e) The annual license fee is [\$660] **\$725**.

22 15-109.

23 (r) (1) This subsection applies only in Prince George's County.

24 (6) (i) The County Council shall pay for all expenses of the Board
25 of License Commissioners upon the submission of an annual budget.

26 (ii) In that budget, the salary of the members of the Board, the
27 salary of the attorney for the Board, and any additional compensation for legal fees for
28 the attorney for the Board, shall be approved as hereinbefore set forth.

1 (iii) [All] EXCEPT AS PROVIDED IN SUBPARAGRAPH (IV) OF
 2 THIS PARAGRAPH, ALL other expenses, including, but not restricted to, [the
 3 compensation of the inspectors.] the salary of the administrator as limited herein,
 4 compensation of other personnel, who shall be qualified and employed under the
 5 county merit system, printing, supplies, and office space, shall be at the discretion of
 6 the County Council.

7 (IV) EACH INSPECTOR SHALL RECEIVE AN ANNUAL SALARY
 8 OF \$10,900.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 10 July 1, 2010.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.