

Chapter 622

(House Bill 632)

AN ACT concerning

**Howard County – Alcoholic Beverages – Luxury Restaurants and Farm
Breweries – Licenses**

Ho. Co. 14–16

FOR the purpose of altering the maximum number of certain beer, wine and liquor licenses the holder of a Class 8 farm brewery license may hold in Howard County; altering the number of Class BLX (luxury restaurant) (on–sale) beer, wine and liquor licenses the Board of License Commissioners may issue for separate premises to an individual or for the use of a partnership, corporation, or unincorporated association in Howard County; and generally relating to alcoholic beverages licenses in Howard County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 23–902(a), (c), and (f)
Annotated Code of Maryland
(As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General
Assembly of 2016)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 23–902(e) and 23–1606
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

23–902.

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

(c) The license authorizes the license holder to sell beer, wine, and liquor at retail at a hotel or restaurant at the place described in the license for on–premises consumption.

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

(e) The Comptroller may issue one Class 8 farm brewery license to a license holder that holds not more than two Class B **AND SEVEN CLASS BLX** beer, wine, and liquor licenses.

(f) The annual license fees are:

- (1) \$1,000 for the Class B beer, wine, and liquor license; and
- (2) \$500 for the off-sale beer and wine permit.

23-1606.

(a) Subject to subsections (b) and (c) of this section, the Board may issue to an individual or for the use of a person:

- (1) two Class B (on-sale) beer, wine, and liquor licenses and **[seven] SIX** Class BLX (luxury restaurant)(on-sale) beer, wine, and liquor licenses; or
- (2) **[nine] EIGHT** Class BLX (luxury restaurant)(on-sale) beer, wine, and liquor licenses.

(b) A person may not have a direct or indirect interest in any combination of more than nine Class B and Class BLX licenses.

(c) For purposes of this section, an indirect interest is presumed to exist between two persons if both:

- (1) have a common parent company;
- (2) are linked by a franchise agreement, licensing agreement, or a concession agreement;
- (3) are part of a chain of businesses commonly owned and operated;
- (4) share:
 - (i) directors, stockholders, partners, or members; or
 - (ii) directors, stockholders, partners, or members of parents or subsidiaries;
- (5) share, directly or indirectly, profit from the sale of alcoholic beverages;

or

(6) share a common trade name, trademark, logo, or theme, or mode of operation identifiable by the public.

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

Approved by the Governor, May 19, 2016.