

HOUSE BILL 745

A2

8lr3147
CF SB 519

By: **Baltimore City Delegation**

Introduced and read first time: February 1, 2018

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2018

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City – Alcoholic Beverages – Class A–7 License**

3 FOR the purpose of authorizing the Board of License Commissioners for Baltimore City to
4 issue a Class A–7 beer, wine, and liquor license; establishing that the license
5 authorizes the holder to sell alcoholic beverages for off–premises consumption 7 days
6 a week during certain hours; providing that license holders who hold a certain class
7 of license are eligible to exchange that license for a Class A–7 license under certain
8 circumstances; specifying that in a certain legislative district a Class B–D–7 license
9 may be exchanged for a Class A–7 license only under certain circumstances;
10 providing that a Class A–7 license can be issued only until a certain date;
11 establishing an annual license fee for a Class A–7 license; ~~providing that the~~
12 ~~issuance, transfer, or renewal of a Class A–7 license is complete without certain~~
13 ~~zoning approval or verification;~~ and generally relating to alcoholic beverages licenses
14 in Baltimore City.

15 BY repealing and reenacting, without amendments,

16 Article – Alcoholic Beverages

17 Section 12–102

18 Annotated Code of Maryland

19 (2016 Volume and 2017 Supplement)

20 BY adding to

21 Article – Alcoholic Beverages

22 Section 12–902.1

23 Annotated Code of Maryland

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.



(2016 Volume and 2017 Supplement)

~~BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 12-1407(a)
Annotated Code of Maryland
(2016 Volume and 2017 Supplement)~~

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

Article – Alcoholic Beverages

12-102.

This title applies only in Baltimore City.

12-902.1.

(A) THERE IS A CLASS A-7 BEER, WINE, AND LIQUOR LICENSE.

(B) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL BEER, WINE, AND LIQUOR AT RETAIL AT THE PLACE DESCRIBED IN THE LICENSE, FOR OFF-PREMISES CONSUMPTION.

(C) (1) SUBJECT TO ~~PARAGRAPH (2)~~ PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, A LICENSE HOLDER WHO HOLDS A VALID CLASS B-D-7 BEER, WINE, AND LIQUOR LICENSE ISSUED ON OR BEFORE JULY 1, 2018, MAY APPLY TO THE BOARD TO EXCHANGE THE LICENSE FOR A CLASS A-7 LICENSE IF THE LICENSE HOLDER FIRST OBTAINS APPROVAL BY RESOLUTION OF THE BALTIMORE CITY COUNCIL.

(2) THE BOARD MAY NOT ISSUE A CLASS A-7 LICENSE AFTER JULY 1, 2020.

(3) IN THE 46TH LEGISLATIVE DISTRICT, A CLASS B-D-7 LICENSE MAY BE EXCHANGED FOR A CLASS A-7 LICENSE ONLY IF THE CLASS B-D-7 LICENSE WAS ISSUED FOR AN ESTABLISHMENT OPERATING IN A PLANNED USE DEVELOPMENT.

(D) A HOLDER OF A CLASS A-7 LICENSE MAY SELL BEER, WINE, AND LIQUOR ON MONDAY THROUGH SUNDAY FROM 9 A.M. TO 10 P.M.

(E) THE ANNUAL LICENSE FEE IS \$1,500.

1 ~~12-1407.~~

2 ~~(a) (1) The Board or the Board's designee shall examine each application for~~
3 ~~the issuance or transfer of a license within 45 days of receipt of the application to determine~~
4 ~~whether the application is complete.~~

5 ~~(2) Except as provided in paragraph (3) of this subsection, an application~~
6 ~~for the issuance, transfer, or renewal is not complete unless the applicant has:~~

7 ~~(i) obtained zoning approval or verification of zoning if the~~
8 ~~application is for renewal;~~

9 ~~(ii) submitted all documents required in the application; and~~

10 ~~(iii) paid all fines and fees that are due.~~

11 ~~(3) (I) An application for the issuance, transfer, or renewal of a Class~~
12 ~~B-D-7 license that may be issued under § 12-1603(e)(6) of this title in the Old Goucher~~
13 ~~Revitalization District under § 12-1603(e) of this title is complete without an applicant~~
14 ~~obtaining zoning approval or verification of zoning.~~

15 ~~(H) AN APPLICATION FOR THE ISSUANCE, TRANSFER, OR~~
16 ~~RENEWAL OF A CLASS A-7 LICENSE THAT MAY BE ISSUED UNDER § 12-902.1 OF THIS~~
17 ~~TITLE IS COMPLETE WITHOUT AN APPLICANT OBTAINING ZONING APPROVAL OR~~
18 ~~VERIFICATION OF ZONING.~~

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
20 1, 2018.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.