

# SENATE BILL 367

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CF 11r1330

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By: **Chair, Anne Arundel County Senators**

Introduced and read first time: February 3, 2011

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Alcoholic Beverages – Anne Arundel County – Entertainment Facility**

3 FOR the purpose of authorizing the Board of License Commissioners of Anne Arundel  
4 County to issue a certain entertainment facility license to certain persons for  
5 certain purposes; providing for the scope of the entertainment facility license;  
6 authorizing the Board to issue a certain entertainment concessionaire license to  
7 certain persons for certain purposes; providing for the scope of the  
8 entertainment concessionaire license; providing that beer, wine, and liquor sold  
9 under an entertainment facility license or an entertainment concessionaire  
10 license may be consumed anywhere in the entertainment facility; specifying  
11 that the licenses authorize the playing of music and dancing; providing that  
12 certain provisions relating to a special Sunday license do not apply to an  
13 entertainment facility license or an entertainment concessionaire license;  
14 providing for the annual fees and payment date for the licenses; providing for  
15 the application to certain persons of certain penalties and sanctions for  
16 violations occurring on certain premises; defining certain terms; and generally  
17 relating to alcoholic beverages and entertainment facilities in Anne Arundel  
18 County.

19 BY repealing and reenacting, without amendments,  
20 Article 2B – Alcoholic Beverages  
21 Section 8–202(a)  
22 Annotated Code of Maryland  
23 (2005 Replacement Volume and 2010 Supplement)

24 BY adding to  
25 Article 2B – Alcoholic Beverages  
26 Section 8–202(k)  
27 Annotated Code of Maryland  
28 (2005 Replacement Volume and 2010 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, with amendments,  
2 Article 2B – Alcoholic Beverages  
3 Section 9–102(h)  
4 Annotated Code of Maryland  
5 (2005 Replacement Volume and 2010 Supplement)

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

8 **Article 2B – Alcoholic Beverages**

9 8–202.

10 (a) This section applies only in Anne Arundel County.

11 **(K) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE**  
12 **THE MEANINGS INDICATED.**

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

15 **1. ENGAGES IN THE DAILY SALE OF BEER, WINE, AND**  
16 **LIQUOR ON ITS PREMISES FOR CONSUMPTION ANYWHERE IN AN**  
17 **ENTERTAINMENT FACILITY; AND**

18 **2. IS OPERATED AS A CONCESSION INDEPENDENT OF**  
19 **THE ENTERTAINMENT FACILITY.**

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

23 **(2) (I) THERE IS AN ENTERTAINMENT FACILITY LICENSE.**

24 **(II) THE BOARD MAY ISSUE AN ENTERTAINMENT FACILITY**  
25 **LICENSE FOR AN ENTERTAINMENT FACILITY THAT CONTAINS ONE OR MORE**  
26 **RESTAURANTS, BARS, LOUNGES, OR OTHER ESTABLISHMENTS THAT ARE**  
27 **ASSOCIATED WITH AND SUPPORT THE OPERATION OF THE ENTERTAINMENT**  
28 **FACILITY.**

29 **(III) THE ENTERTAINMENT FACILITY LICENSE MAY BE**  
30 **ISSUED TO AN INDIVIDUAL OR ENTITY THAT OWNS AN ENTERTAINMENT**  
31 **FACILITY AND HOLDS A LICENSE UNDER TITLE 9, SUBTITLE 1A OF THE STATE**  
32 **GOVERNMENT ARTICLE.**

1                   (IV) AN APPLICANT FOR AN ENTERTAINMENT FACILITY  
2 LICENSE NEED NOT MEET ANY LOCATION, VOTING, OR RESIDENCY  
3 REQUIREMENTS.

4                   (V) AN ENTERTAINMENT FACILITY LICENSE AUTHORIZES  
5 THE HOLDER TO SELL BEER, WINE, AND LIQUOR ON ANY PREMISES OF THE  
6 ENTERTAINMENT FACILITY THAT IS NOT COVERED BY AN ENTERTAINMENT  
7 CONCESSIONAIRE LICENSE FOR CONSUMPTION ANYWHERE IN THE  
8 ENTERTAINMENT FACILITY.

9                   (3) (I) THERE IS AN ENTERTAINMENT CONCESSIONAIRE  
10 LICENSE.

11                   (II) THE BOARD MAY ISSUE AN ENTERTAINMENT  
12 CONCESSIONAIRE LICENSE TO A CONCESSIONAIRE AT AN ENTERTAINMENT  
13 FACILITY.

14                   (III) THE ENTERTAINMENT CONCESSIONAIRE LICENSE  
15 AUTHORIZES THE HOLDER TO SELL BEER, WINE, AND LIQUOR ON THE PREMISES  
16 OF THE CONCESSIONAIRE FOR CONSUMPTION ANYWHERE IN THE  
17 ENTERTAINMENT FACILITY.

18                   (4) (I) THE ANNUAL FEE FOR AN ENTERTAINMENT FACILITY  
19 LICENSE IS \$7,500.

20                   (II) THE ANNUAL FEE FOR AN ENTERTAINMENT  
21 CONCESSIONAIRE LICENSE IS \$5,000.

22                   (III) THE ANNUAL LICENSE FEES SHALL BE PAID ON MAY 1  
23 TO THE BOARD.

24                   (5) BEER, WINE, AND LIQUOR THAT IS PURCHASED ANYWHERE IN  
25 AN ENTERTAINMENT FACILITY MAY BE TRANSPORTED AND CONSUMED  
26 ANYWHERE IN THE ENTERTAINMENT FACILITY.

27                   (6) AN ENTERTAINMENT FACILITY LICENSE AND AN  
28 ENTERTAINMENT CONCESSIONAIRE LICENSE AUTHORIZE THE PLAYING OF  
29 MUSIC AND DANCING IN THEIR RESPECTIVE LICENSED PREMISES.

30                   (7) SUBSECTION (D) OF THIS SECTION, RELATING TO SPECIAL  
31 SUNDAY LICENSES, DOES NOT APPLY TO A LICENSE ISSUED UNDER THIS  
32 SUBSECTION.

1           **(8) AN ENTERTAINMENT FACILITY LICENSE OR AN**  
2 **ENTERTAINMENT CONCESSIONAIRE LICENSE MAY NOT BE COUNTED AS A CLASS**  
3 **B OR CLASS H LICENSE FOR PURPOSES OF § 9-102(H-1) OF THIS ARTICLE.**

4           **(9) THE LICENSES AND HOLDERS ARE SUBJECT TO ALL LAWS AND**  
5 **REGULATIONS APPLICABLE TO THE SALE OF ALCOHOLIC BEVERAGES NOT**  
6 **INCONSISTENT WITH THIS SUBSECTION.**

7           **(10) ANY PENALTY OR OTHER SANCTION THAT IS IMPOSED FOR A**  
8 **VIOLATION OF A REGULATION OF THE BOARD ON THE LICENSED PREMISES OF**  
9 **THE HOLDER OF AN ENTERTAINMENT CONCESSIONAIRE LICENSE SHALL APPLY**  
10 **TO THE CONCESSIONAIRE THAT THE BOARD DETERMINES TO BE RESPONSIBLE**  
11 **FOR THE VIOLATION.**

12 9-102.

13           (h) The provisions of subsection (a) of this section do not apply in Anne  
14 Arundel County to licenses issued under this article for premises operated as resort  
15 complexes **OR ENTERTAINMENT FACILITIES, INCLUDING ENTERTAINMENT**  
16 **CONCESSIONS.**

17           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 June 1, 2011.