

## Chapter 624

(Senate Bill 367)

AN ACT concerning

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

FOR the purpose of authorizing the Board of License Commissioners of Anne Arundel County to issue a certain entertainment facility license to certain persons for certain purposes; providing for the scope of the entertainment facility license; authorizing the Board to issue a certain entertainment concessionaire license to certain persons for certain purposes; providing for the scope of the entertainment concessionaire license; providing that beer, wine, and liquor sold under an entertainment facility license or an entertainment concessionaire license may be taken into and consumed anywhere in the entertainment facility; specifying that the licenses authorize the playing of music and dancing; providing that certain provisions relating to a special Sunday license do not apply to an entertainment facility license or an entertainment concessionaire license; 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 Anne Arundel County.

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

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

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

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

**Article 2B – Alcoholic Beverages**

8–202.

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

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

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

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

**2. IS OPERATED AS A CONCESSION ADJACENT TO BUT INDEPENDENT OF THE ENTERTAINMENT FACILITY.**

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

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

**(II) THE BOARD MAY ISSUE AN ENTERTAINMENT FACILITY LICENSE FOR AN ENTERTAINMENT FACILITY THAT CONTAINS ONE OR MORE RESTAURANTS FOOD SERVICE FACILITIES, BARS, OR LOUNGES, ~~OR OTHER ESTABLISHMENTS THAT ARE ASSOCIATED WITH AND SUPPORT~~ PART OF THE OPERATION OF THE ENTERTAINMENT FACILITY.**

**(III) THE ENTERTAINMENT FACILITY LICENSE ~~MAY~~ 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.**

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

**(V) AN ENTERTAINMENT FACILITY LICENSE AUTHORIZES THE HOLDER TO SELL BEER, WINE, AND LIQUOR ON ANY PREMISES OF THE ENTERTAINMENT FACILITY THAT IS NOT COVERED BY AN ENTERTAINMENT**

CONCESSIONAIRE LICENSE FOR CONSUMPTION ANYWHERE IN THE ENTERTAINMENT FACILITY.

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

(II) THE BOARD MAY ISSUE AN ENTERTAINMENT CONCESSIONAIRE LICENSE TO A CONCESSIONAIRE ~~AT~~ OPERATING IN CONJUNCTION WITH AN ENTERTAINMENT FACILITY.

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

(4) (I) THE ANNUAL FEE FOR AN ENTERTAINMENT FACILITY LICENSE IS ~~\$7,500~~ \$15,000.

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

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

(5) (I) ~~BEER, WINE, AND LIQUOR THAT IS PURCHASED ANYWHERE IN AN ENTERTAINMENT FACILITY MAY BE TRANSPORTED AND CONSUMED ANYWHERE IN THE ENTERTAINMENT FACILITY~~ AN ENTERTAINMENT FACILITY LICENSE AND A CONCESSIONAIRE LICENSE DO NOT PERMIT OFF-SALES OFF-SALE PRIVILEGE IS NOT CONFERRED BY AN ENTERTAINMENT FACILITY LICENSE OR AN ENTERTAINMENT CONCESSIONAIRE LICENSE.

(II) BEER, WINE, AND LIQUOR PURCHASED UNDER AN ENTERTAINMENT FACILITY LICENSE OR ~~A~~ AN ENTERTAINMENT CONCESSIONAIRE LICENSE MAY BE TAKEN INTO AND CONSUMED ANYWHERE IN AN ENTERTAINMENT FACILITY.

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

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

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

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

**(10) 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 CONCESSIONAIRE LICENSE SHALL APPLY TO THE CONCESSIONAIRE THAT THE BOARD DETERMINES TO BE RESPONSIBLE FOR THE VIOLATION.**

9-102.

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

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

**Enacted under Article II, § 17(c) of the Maryland Constitution, May 29, 2011.**