

HOUSE BILL 137

A2

51r0528

By: **Charles County Delegation**

Introduced and read first time: January 27, 2015

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 3, 2015

CHAPTER _____

1 AN ACT concerning

2 **Charles County – Alcoholic Beverages – License Fees**

3 FOR the purpose of altering in Charles County fees for holders of certain alcoholic
4 beverages licenses; altering in Charles County an annual fee for providing live
5 entertainment or outdoor table service by a holder of a ~~Class B-R (restaurant)~~
6 ~~on-sale beer, wine and liquor license, Class B-RB (restaurant/bar) on-sale beer,~~
7 ~~wine and liquor license, Class B-T (tavern) on-sale beer, wine and liquor license,~~
8 ~~Class B-N (nightclub) on-sale beer, wine and liquor license, or Class B-H (hotel)~~
9 ~~on-sale beer, wine and liquor license~~ Class D beer license, Class H beer and light
10 wine license, Class D beer and light wine license, Class C beer, wine and liquor
11 license, and Class D beer, wine and liquor license; and generally relating to fees for
12 holders of alcoholic beverages licenses in Charles County.

13 BY repealing and reenacting, without amendments,

14 Article 2B – Alcoholic Beverages

15 Section 3-401(a)(1), 5-202(b)(1), 5-401(a)(1), 6-101(a)(1), ~~6-201(j)(1),~~
16 6-301(a)(1) and (j)(1), 6-401(a)(1), 7-101(d)(1)(i), and 7-101(m)(1)

17 Annotated Code of Maryland

18 (2011 Replacement Volume and 2014 Supplement)

19 BY repealing and reenacting, with amendments,

20 Article 2B – Alcoholic Beverages

21 Section 3-401(j), 5-202(f), 5-401(j), 6-101(j)(1), ~~6-201(j)(2), (3), (4), (5), and (6),~~
22 6-301(j)(2), 6-401(j), 7-101(d)(7) through (13), and 7-101(m)(2)

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.



(2011 Replacement Volume and 2014 Supplement)

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

Article 2B – Alcoholic Beverages

3–401.

(a) (1) A Class D beer license shall be issued by the license issuing authority of the county in which the place of business is located. The holder of the license may keep for sale and sell beer at retail at the place described in the license. The beer may be consumed on the premises or elsewhere, but a license may not be issued for any drugstore.

(j) **(1)** In Charles County the annual license fee is [~~\$180~~] **\$240**.

(2) IN ADDITION TO THE ANNUAL LICENSE FEE, A LICENSE HOLDER SHALL ANNUALLY PAY:

(I) \$200, IF THE LICENSE HOLDER PROVIDES LIVE ENTERTAINMENT; AND

(II) \$200, IF THE LICENSE HOLDER PROVIDES OUTDOOR TABLE SERVICE.

5–202.

(b) (1) A Class H beer and light wine license shall be issued by the license issuing authority of the county in which the place of business is located. The license authorizes the holder to keep for sale and sell beer and light wines at retail at any hotel or restaurant, at the place described in the license, for consumption on the premises.

(f) **(1)** In Charles County the annual license fee is [~~\$240~~] **\$340**.

(2) IN ADDITION TO THE ANNUAL LICENSE FEE, A LICENSE HOLDER SHALL ANNUALLY PAY:

(I) \$200, IF THE LICENSE HOLDER PROVIDES LIVE ENTERTAINMENT; AND

(II) \$200, IF THE LICENSE HOLDER PROVIDES OUTDOOR TABLE SERVICE.

5–401.

1 (a) (1) A Class D beer and light wine license shall be issued by the license
2 issuing authority of the county in which the place of business is located. The license
3 authorizes its holder to keep for sale and to sell beer and light wines at retail, at the place
4 described in the license, for consumption on the premises or elsewhere. The license may not
5 be issued for any drugstore.

6 (j) (1) In Charles County the annual license fee is [~~\$240~~] **\$340**.

7 (2) IN ADDITION TO THE ANNUAL LICENSE FEE, A LICENSE HOLDER
8 SHALL ANNUALLY PAY:

9 (I) \$200, IF THE LICENSE HOLDER PROVIDES LIVE
10 ENTERTAINMENT; AND

11 (II) \$200, IF THE LICENSE HOLDER PROVIDES OUTDOOR TABLE
12 SERVICE.

13 6-101.

14 (a) (1) A Class A beer, wine and liquor license shall be issued by the license
15 issuing authority of the county in which the place of business is located. The license
16 authorizes the holder to keep for sale and to sell all alcoholic beverages at retail, in any
17 quantity, at the place described in the license. The licensee shall deliver the alcoholic
18 beverages in a sealed package or container and the package or container may not be opened
19 nor its contents consumed on the premises where sold.

20 (j) (1) In Charles County the annual license fee is [~~\$480~~] **\$960**.

21 ~~6-201.~~

22 (j) (1) ~~This subsection applies only in Charles County.~~

23 (2) (i) ~~There is a Class B-R (restaurant) on-sale beer, wine and liquor~~
24 ~~license, to be issued by the Board of License Commissioners.~~

25 (ii) ~~The license authorizes the sale and consumption of beer, wine~~
26 ~~and liquor on the premises of a restaurant that:~~

27 1. ~~Is primarily engaged in the sale of food and nonalcoholic~~
28 ~~beverages for consumption on the premises; and~~

29 2. ~~Contains a dining room with facilities for preparing and~~
30 ~~serving meals.~~

31 (iii) ~~A license holder may not:~~

HOUSE BILL 137

1 ~~1. Establish an area on the premises of the restaurant that~~
2 ~~is a bar; or~~

3 ~~2. Provide live entertainment.~~

4 ~~(iv) The annual license fee is \$360.~~

5 ~~(v) In addition to the annual license fee, a license holder shall~~
6 ~~annually pay [\$200] \$400 if the license holder provides outdoor table service.~~

7 ~~(3) (i) There is a Class B RB (restaurant/bar) on-sale beer, wine and~~
8 ~~liquor license, to be issued by the Board of License Commissioners.~~

9 ~~(ii) The license authorizes the sale and consumption of beer, wine~~
10 ~~and liquor on the premises of a restaurant that:~~

11 ~~1. Is primarily engaged in the sale of food and nonalcoholic~~
12 ~~beverages for consumption on the premises;~~

13 ~~2. Contains a dining room with facilities for preparing and~~
14 ~~serving meals; and~~

15 ~~3. Contains an area commonly known as a bar, with stools to~~
16 ~~accommodate patrons with or without service of food.~~

17 ~~(iii) The annual license fee is \$460.~~

18 ~~(iv) In addition to the annual license fee, a license holder shall~~
19 ~~annually pay:~~

20 ~~1. [\$200] \$400, if the license holder provides live~~
21 ~~entertainment; and~~

22 ~~2. [\$200] \$400, if the license holder provides outdoor table~~
23 ~~service.~~

24 ~~(4) (i) There is a Class B T (tavern) on-sale beer, wine and liquor~~
25 ~~license, to be issued by the Board of Liquor License Commissioners.~~

26 ~~(ii) The license authorizes the sale and consumption of beer, wine~~
27 ~~and liquor on the premises of a restaurant or bar that:~~

28 ~~1. Is primarily engaged in selling and serving alcoholic~~
29 ~~beverages, on a drink by drink basis; and~~

30 ~~2. Has a seating capacity of less than 100 people, as~~
31 ~~determined by the State Fire Marshal.~~

1 (iii) ~~The annual license fee is \$460.~~

2 (iv) ~~In addition to the annual license fee, a license holder shall~~
3 ~~annually pay:~~

4 1. ~~[\$200] \$400, if the license holder provides live~~
5 ~~entertainment; and~~

6 2. ~~[\$200] \$400, if the license holder provides outdoor table~~
7 ~~service.~~

8 (5) (i) ~~There is a Class B-N (nightclub) on-sale beer, wine and liquor~~
9 ~~license, to be issued by the Board of License Commissioners.~~

10 (ii) ~~The license authorizes the sale and consumption of beer, wine~~
11 ~~and liquor on the premises of a nightclub facility that:~~

12 1. ~~Is primarily engaged in selling and serving alcoholic~~
13 ~~beverages, on a drink by drink basis; and~~

14 2. ~~Has a seating capacity of more than 100 people, as~~
15 ~~determined by the State Fire Marshal.~~

16 (iii) ~~The annual license fee is \$610.~~

17 (iv) ~~In addition to the annual license fee, a license holder shall~~
18 ~~annually pay [\$200] \$400 if the license holder provides live entertainment.~~

19 (6) (i) ~~There is a Class B-H (hotel) on-sale beer, wine and liquor~~
20 ~~license, to be issued by the Board of License Commissioners.~~

21 (ii) ~~The license authorizes the on-premises sale and consumption of~~
22 ~~beer, wine and liquor in a hotel common area, for a premises primarily engaged in the~~
23 ~~day-to-day rental of hotel rooms.~~

24 (iii) ~~The annual license fee is \$360.~~

25 (iv) ~~In addition to the annual license fee, a license holder shall~~
26 ~~annually pay:~~

27 1. ~~[\$200] \$400, if the license holder provides live~~
28 ~~entertainment; and~~

29 2. ~~[\$200] \$400, if the license holder provides outdoor table~~
30 ~~service.~~

1 6-301.

2 (a) (1) Except as provided in subsection (n) of this section, a Class C beer, wine
3 and liquor license shall be issued by the license issuing authority of the county in which
4 the place of business is located. It authorizes the holder to keep for sale and sell all alcoholic
5 beverages at retail at any club, at the place described in the license, for consumption on the
6 premises only.

7 (j) (1) This subsection applies only in Charles County.

8 (2) **(I)** The annual license fee is [~~\$300~~] **\$350**.

9 **(II) IN ADDITION TO THE ANNUAL LICENSE FEE, A LICENSE**
10 **HOLDER SHALL ANNUALLY PAY:**

11 **1. \$200, IF THE LICENSE HOLDER PROVIDES LIVE**
12 **ENTERTAINMENT; AND**

13 **2. \$200, IF THE LICENSE HOLDER PROVIDES OUTDOOR**
14 **TABLE SERVICE.**

15 6-401.

16 (a) (1) A Class D beer, wine and liquor license shall be issued by the license
17 issuing authority of the county in which the place of business is located. It authorizes the
18 holder to keep for sale and sell all alcoholic beverages at retail at the place described in it,
19 for consumption on the premises or elsewhere. A license may not be issued for any
20 drugstore.

21 (j) (1) This subsection applies only in Charles County.

22 (2) The annual license fee:

23 (i) For on- and off-sale of all alcoholic beverages is [~~\$1,140~~] **\$1,320**;
24 and

25 (ii) For off-sale for liquor and on- or off-sale for beer and wine is
26 [~~\$720~~] **\$1,020**.

27 **(3) IN ADDITION TO THE ANNUAL LICENSE FEE, A LICENSE HOLDER**
28 **SHALL ANNUALLY PAY:**

29 **(I) \$200, IF THE LICENSE HOLDER PROVIDES LIVE**
30 **ENTERTAINMENT; AND**

1 (i) The fee is \$60 per day; and

2 (ii) Notwithstanding § 1–102(a)(4) of this article, the Board of
3 License Commissioners may issue a one–day special Class C beer, wine and liquor license
4 to a community swimming pool club.

5 ~~[(12)]~~ **(13)** (i) This paragraph applies only in Prince George’s County.

6 (ii) Except as provided in item (iii) of this paragraph, the fee is \$200
7 per day.

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

11 (iv) When the Board of License Commissioners issues a license under
12 this paragraph, the Board shall notify the chief of police, the fire chief, the director of the
13 Department of Environmental Resources, and, if applicable, the municipal corporation in
14 which the event is to be held, as to the time, place, and expected size of the event for which
15 the license is issued.

16 (v) The Board of License Commissioners may deny an application
17 for this license if it is determined that the applicant does not qualify under the provisions
18 of this article.

19 ~~[(13)]~~ **(14)** In Wicomico County the fee is \$45 per day.

20 (m) (1) This subsection applies only in Charles County.

21 (2) The Board of License Commissioners may issue a special Class D
22 (on–sale) beer permit to any bona fide religious, fraternal, civic, veterans’, hospital or
23 charitable organization for a period not exceeding ten consecutive days from the effective
24 date of the license, subject to any conditions the Board may impose on the issuance of this
25 permit. The fee for this permit is ~~[\$25]~~ **\$45**.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
27 1, 2015.