

HOUSE BILL 845

A2

5lr1575

By: **Harford County Delegation**

Introduced and read first time: February 13, 2015

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 3, 2015

CHAPTER _____

1 AN ACT concerning

2 **Harford County – Alcoholic Beverages – Class B Cafe Licenses**

3 FOR the purpose of authorizing the Harford County Liquor Control Board to issue a special
4 Class B Cafe beer, wine and liquor license; specifying an annual Class B Cafe beer,
5 wine and liquor license fee; specifying that the Class B Cafe beer, wine and liquor
6 license entitles the holder to sell beer and wine for consumption on and off the
7 premises and liquor for consumption on the premises; specifying that the Class B
8 Cafe beer, wine and liquor license is a 7–day license with an on–premises wine
9 tasting privilege for a certain number of days; requiring the Board to set the
10 maximum amount of Class B Cafe beer, wine and liquor licenses that it may issue;
11 requiring the Board to set a maximum and a minimum seating capacity for each
12 Class B Cafe beer, wine and liquor license it issues; authorizing the Class B Cafe
13 beer, wine and liquor license to be issued only if certain conditions are met;
14 authorizing the Class B Cafe beer, wine and liquor license to be used for off–premises
15 catering; repealing the prohibition against the Board issuing more than a certain
16 number of Class B Cafe beer and light wine licenses and requiring the Board to set
17 the maximum amount of Class B Cafe beer and light wine licenses that it may issue;
18 repealing the prohibition against and authorizing the use of a Class B Cafe beer and
19 light wine license for off–premises catering; and generally relating to Class B Cafe
20 licenses in Harford County.

21 BY repealing and reenacting, without amendments,
22 Article 2B – Alcoholic Beverages
23 Section 5–201(a) and (n)(1) and 6–201(a)(1) and (n)(1)
24 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.



1 (2011 Replacement Volume and 2014 Supplement)

2 BY repealing and reenacting, with amendments,
3 Article 2B – Alcoholic Beverages
4 Section 5–201(n)(6)
5 Annotated Code of Maryland
6 (2011 Replacement Volume and 2014 Supplement)

7 BY adding to
8 Article 2B – Alcoholic Beverages
9 Section 6–201(n)(10)
10 Annotated Code of Maryland
11 (2011 Replacement Volume and 2014 Supplement)

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

14 **Article 2B – Alcoholic Beverages**

15 5–201.

16 (a) (1) A Class B beer and light wine license shall be issued by the license
17 issuing authority of the county in which the place of business is located. The holder may
18 keep for sale and sell beer and light wines at retail at any hotel or restaurant, at the place
19 described in the license, for consumption on the premises or elsewhere.

20 (n) (1) This subsection applies only in Harford County.

21 (6) (i) There is a Class B Cafe beer and wine license.

22 (ii) The annual license fee is \$1,575.

23 (iii) A cafe license entitles the holder to sell beer and wine for
24 consumption on and off the licensed premises.

25 (iv) A cafe license is a 7–day license with an on–premises wine
26 tasting privilege for every day of the year.

27 (v) The Liquor Control Board [may issue not more than five cafe
28 licenses] **SHALL SET THE MAXIMUM NUMBER OF CAFE LICENSES THAT IT MAY ISSUE**
29 **UNDER THIS PARAGRAPH.**

30 (vi) The Liquor Control Board shall set a maximum and a minimum
31 seating capacity for each cafe license it issues.

32 (vii) A cafe license may be exercised at an establishment only if:

1 1. The Liquor Control Board determines that the
2 establishment has adequate tables, chairs, food, and facilities for preparing and serving
3 meals;

4 2. The average gross monthly receipts from the sale of cooked
5 or prepared food served at the establishment and other items approved by the Liquor
6 Control Board exceed 50% of the average monthly receipts from the sale of beer and wine
7 sold for on-premises consumption; and

8 3. Not more than 10% of the total square footage of the
9 establishment is dedicated to the public display of beer and wine that is offered for sale.

10 (viii) A cafe license may [not] be used for off-premises catering.

11 6-201.

12 (a) (1) A Class B beer, wine and liquor license shall be issued by the license
13 issuing authority of the county in which the place of business is located, and the license
14 authorizes its holder to keep for sale and sell all alcoholic beverages at retail at any hotel
15 or restaurant at the place described, for consumption on the premises or elsewhere, or as
16 provided in this section.

17 (n) (1) This subsection applies only in Harford County.

18 **(10) (I) THE LIQUOR CONTROL BOARD MAY ISSUE A SPECIAL**
19 **CLASS B CAFE BEER, WINE AND LIQUOR LICENSE.**

20 **(II) THE ANNUAL LICENSE FEE IS \$3,000.**

21 **(III) A CAFE LICENSE ENTITLES THE HOLDER TO SELL:**

22 1. **BEER AND WINE FOR CONSUMPTION ON OR OFF THE**
23 **LICENSED PREMISES; AND**

24 2. **LIQUOR FOR CONSUMPTION ON THE LICENSED**
25 **PREMISES ONLY.**

26 **(IV) A CAFE LICENSE IS A 7-DAY LICENSE WITH AN**
27 **ON-PREMISES WINE TASTING PRIVILEGE FOR EVERY DAY OF THE YEAR.**

28 **(V) THE LIQUOR CONTROL BOARD SHALL SET THE MAXIMUM**
29 **NUMBER OF CAFE LICENSES THAT IT MAY ISSUE UNDER THIS PARAGRAPH.**

30 **(VI) THE LIQUOR CONTROL BOARD SHALL SET A MAXIMUM AND**
31 **A MINIMUM SEATING CAPACITY FOR EACH CAFE LICENSE IT ISSUES.**

1 (VII) A CAFE LICENSE MAY BE EXERCISED AT AN ESTABLISHMENT
2 ONLY IF:

3 1. THE LIQUOR CONTROL BOARD DETERMINES THAT
4 THE ESTABLISHMENT HAS ADEQUATE TABLES, CHAIRS, FOOD, AND FACILITIES FOR
5 PREPARING AND SERVING MEALS;

6 2. THE AVERAGE GROSS MONTHLY RECEIPTS FROM THE
7 SALE OF COOKED OR PREPARED FOOD SERVED AT THE ESTABLISHMENT AND OTHER
8 ITEMS APPROVED BY THE LIQUOR CONTROL BOARD EXCEED 50% OF THE AVERAGE
9 MONTHLY RECEIPTS FROM THE SALE OF BEER, WINE AND LIQUOR SOLD FOR
10 ON-PREMISES CONSUMPTION; AND

11 3. NOT MORE THAN 10% OF THE TOTAL SQUARE
12 FOOTAGE OF THE ESTABLISHMENT IS DEDICATED TO THE PUBLIC DISPLAY OF BEER
13 AND WINE THAT IS OFFERED FOR SALE.

14 (VIII) A CAFE LICENSE MAY BE USED FOR OFF-PREMISES
15 CATERING.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2015.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.