

Bill No.: \_\_\_\_\_  
Requested: \_\_\_\_\_  
Committee: \_\_\_\_\_

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Stored – 09/30/09  
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By: **Howard County Delegation**

A BILL ENTITLED

1 AN ACT concerning

2 **Howard County – Alcoholic Beverages Act of 2010**

3 FOR the purpose of establishing a Class B special beer and wine license in Howard  
4 County; authorizing a holder of the license to sell beer and wine for  
5 consumption off the licensed premises; specifying the persons authorized to be  
6 issued the license; providing for the term of and hours of sale for the license;  
7 specifying certain requirements that must be met before the license may be  
8 issued; specifying that certain off-sale alcoholic beverages receipts be included  
9 in a certain calculation; specifying certain requirements that a holder of the  
10 license must meet; authorizing the Board of License Commissioners of Howard  
11 County to adopt certain regulations for a certain purpose; authorizing the  
12 holder of a certain alcoholic beverages license to employ an individual of a  
13 certain age to sell or serve alcoholic beverages; making a certain stylistic  
14 change; and generally relating to alcoholic beverages licenses and employees of  
15 holders of alcoholic beverages licenses in Howard County.

16 BY adding to  
17 Article 2B – Alcoholic Beverages  
18 Section 7-101(p-1)  
19 Annotated Code of Maryland  
20 (2005 Replacement Volume and 2009 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 12–214  
4 Annotated Code of Maryland  
5 (2005 Replacement Volume and 2009 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 7–101.

10 **(P–1) (1) THIS SUBSECTION APPLIES ONLY IN HOWARD COUNTY.**

11 **(2) THERE IS A CLASS B SPECIAL BEER AND WINE (B–SBW)**  
12 **(OFF–SALE) LICENSE.**

13 **(3) A HOLDER OF A B–SBW LICENSE MAY SELL BEER AND WINE**  
14 **FOR CONSUMPTION OFF THE LICENSED PREMISES.**

15 **(4) THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE A**  
16 **B–SBW LICENSE ONLY TO A HOLDER OF A CLASS B BEER, WINE AND LIQUOR**  
17 **(7–DAY) (ON–SALE) LICENSE THAT IS ISSUED FOR A RESTAURANT.**

18 **(5) THE TERM OF A B–SBW LICENSE ISSUED TO AN APPLICANT**  
19 **SHALL BE THE SAME AS THAT OF THE CLASS B BEER, WINE AND LIQUOR**  
20 **LICENSE THAT THE APPLICANT HOLDS.**

21 **(6) BEFORE THE BOARD OF LICENSE COMMISSIONERS ISSUES A**  
22 **B–SBW LICENSE TO AN APPLICANT:**

23 **(I) THE APPLICANT SHALL:**

24 **1. COMPLETE THE FORM THAT THE BOARD OF**  
25 **LICENSE COMMISSIONERS PROVIDES; AND**

26 **2. PAY AN ANNUAL LICENSE FEE OF \$500; AND**

1                   **(II) THE SAME ADVERTISING, POSTING OF NOTICE, AND**  
2 **PUBLIC HEARING REQUIREMENTS AS THOSE FOR OTHER CLASS B LICENSES**  
3 **SHALL BE MET.**

4                   **(7) OFF-SALE ALCOHOLIC BEVERAGES RECEIPTS COLLECTED**  
5 **UNDER A B-SBW LICENSE SHALL BE INCLUDED IN THE CALCULATION OF**  
6 **AVERAGE DAILY RECEIPTS FROM THE SALE OF ALCOHOLIC BEVERAGES UNDER**  
7 **§ 1-102(A)(22)(I)1C OF THIS ARTICLE.**

8                   **(8) THE HOURS FOR SALE FOR A B-SBW LICENSE ARE FROM 10**  
9 **A.M. TO MIDNIGHT, MONDAY THROUGH SUNDAY.**

10                   **(9) A HOLDER OF A B-SBW LICENSE MAY EXERCISE THE**  
11 **PRIVILEGES OF THE LICENSE ONLY IF:**

12                   **(I) THE LICENSED PREMISES IS OPEN FOR BUSINESS AS A**  
13 **RESTAURANT; AND**

14                   **(II) THE AREA USED FOR THE PREPARATION AND**  
15 **CONSUMPTION OF FOOD AND BEVERAGES OCCUPIES AT LEAST 80% OF THE**  
16 **TOTAL AREA OF THE LICENSED PREMISES.**

17                   **(10) THE BOARD OF LICENSE COMMISSIONERS MAY ADOPT**  
18 **REGULATIONS TO CARRY OUT THIS SUBSECTION, INCLUDING A LIMIT ON THE**  
19 **NUMBER OF LICENSES TO BE ISSUED.**

20 12-214.

21                   **(A) THIS SECTION APPLIES ONLY IN HOWARD COUNTY.**

22                   **(B) [In Howard County it] IT is unlawful for any “on-sale” licensee to allow**  
23 **persons under the age of 18 years to engage in pool, billiards, shuffleboard, or the**  
24 **playing of pinball or console machines or in any other game of chance or skill in their**  
25 **licensed establishment unless those persons under 18 years are accompanied by a**  
26 **parent or guardian. Any licensee violating the provisions of this section is guilty of a**  
27 **misdemeanor and upon conviction shall be fined not more than \$100 or imprisoned not**  
28 **more than 30 days.**

1           **(C) THE HOLDER OF A CLASS A, B, OR C LICENSE MAY EMPLOY AN**  
2 **INDIVIDUAL WHO IS AT LEAST 18 YEARS OLD TO SELL OR SERVE ALCOHOLIC**  
3 **BEVERAGES.**

4           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 July 1, 2010.