

HOUSE BILL 506

A1

EMERGENCY BILL

1lr1630
CF 1lr1125

By: **Delegate T. Branch**

Introduced and read first time: January 15, 2021

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Alcoholic Beverages Districts – Legislative Districting Plan**
3 **References**

4 FOR the purpose of updating certain provisions of law regarding Baltimore City alcoholic
5 beverages districts to refer to a certain Legislative Districting Plan; requiring the
6 Board of License Commissioners for Baltimore City to grant a certain exemption to
7 certain persons under certain circumstances; making this Act an emergency
8 measure; and generally relating to alcoholic beverages districts in Baltimore City.

9 BY repealing and reenacting, without amendments,
10 Article – Alcoholic Beverages
11 Section 12–102
12 Annotated Code of Maryland
13 (2016 Volume and 2020 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Alcoholic Beverages
16 Section 12–903(c)(1) and (d), 12–1603(a), 12–1604(a), 12–1707(a), and 12–2007(b)(1)
17 Annotated Code of Maryland
18 (2016 Volume and 2020 Supplement)

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

21 **Article – Alcoholic Beverages**

22 12–102.

23 This title applies only in Baltimore City.

24 12–903.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(c) (1) In this subsection, “46th alcoholic beverages district” means an area that has the same boundaries as the 46th legislative district in the Legislative Districting Plan of [2002 as ordered by the Maryland Court of Appeals on June 21, 2002] **2012**.

(d) (1) In this subsection, “47th alcoholic beverages district” means an area with the same boundaries as the 47th [alcoholic beverages district as that district existed before the Legislative Districting Plan ordered by the Maryland Court of Appeals on June 21, 2002] **LEGISLATIVE DISTRICT IN THE LEGISLATIVE DISTRICTING PLAN OF 2012**.

(2) Except as provided in paragraph (3) of this subsection, the license issued for use by a restaurant in the 47th alcoholic beverages district may not include an off-sale privilege.

(3) A license issued before July 1, 1991, with on- and off-sale privileges may continue to be renewed or transferred in the 47th alcoholic beverages district with both privileges.

(4) The license may include an off-sale privilege for sales of refillable containers under a refillable container permit issued in accordance with § 12-1102 of this title.

12-1603.

(a) The alcoholic beverages districts described in this section at all times are coterminous with the legislative districts in the Legislative Districting Plan of [2002 as ordered by the Maryland Court of Appeals on June 21, 2002] **2012**.

12-1604.

(a) This section applies only to the 46th alcoholic beverages district, which at all times is coterminous with the 46th legislative district in the Legislative Districting Plan of [2002 as ordered by the Maryland Court of Appeals on June 21, 2002] **2012**.

12-1707.

(a) The alcoholic beverages districts described in this section at all times are coterminous with the legislative districts in the Legislative Districting Plan of [2002 as ordered by the Maryland Court of Appeals on June 21, 2002] **2012**.

12-2007.

(b) (1) The Board may grant an exemption for remaining open after hours to:

(i) a holder of a Class B restaurant license, only for serving food to patrons seated for dining;

(ii) a pharmacy that fills prescriptions; or

(iii) a holder of a Class D beer, wine, and liquor license that operates a restaurant, if:

1. it is used only for serving food to patrons seated in a dining room that is not adjacent to a bar; and

2. the restaurant is located in the 46th Legislative District in the Legislative Districting Plan of [2002 as ordered by the Maryland Court of Appeals on June 21, 2002] **2012**.

SECTION 2. AND BE IT FURTHER ENACTED, That the Board of License Commissioners for Baltimore City shall exempt from this Act an alcoholic beverages license holder that currently conducts an activity that is made unlawful by this Act if the license holder:

(1) received approval from the Board to conduct the activity on or before February 23, 2012; and

(2) has owned the licensed premises continuously since February 23, 2012.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.