

SENATE BILL 1046

A2

4lr2305

By: **Anne Arundel County Senators**

Introduced and read first time: February 2, 2024

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 29, 2024

CHAPTER _____

1 AN ACT concerning

2 **Anne Arundel County – Alcoholic Beverages – ~~Fees~~ License Fees and Technical**
3 **Corrections**

4 FOR the purpose of increasing alcoholic beverages license ~~and permit~~ fees paid to the Board
5 of License Commissioners for Anne Arundel County; clarifying that the holder of a
6 gift basket license may purchase alcoholic beverages from a retail dealer; and
7 generally relating to alcoholic beverages license ~~and permit~~ fees in Anne Arundel
8 County.

9 BY repealing and reenacting, without amendments,

10 Article – Alcoholic Beverages and Cannabis

11 Section 11-102, 11-701(a), 11-801(a), 11-802(a), 11-803(a), 11-804(a), 11-805(a),
12 11-806(a), 11-901(a), 11-902(a), 11-903(a), 11-904(a), 11-905(a), 11-906(a),
13 11-907(a), 11-1001(a), 11-1002(a), 11-1002.1(b), 11-1002.2(a), 11-1003(a),
14 11-1004(b), 11-1005(b), 11-1006(a), ~~11-1006.1(a)~~, 11-1006.2(a), 11-1007(a),
15 11-1007.1(a), 11-1008(b), 11-1008.1(a), 11-1009(a), 11-1010(a), ~~11-1103(a)~~,
16 ~~11-1103.1(a), 11-1104(b), 11-1305(a), 11-1306(a), 11-1307(a), 11-1308(a)~~,
17 and 11-1608(b)

18 Annotated Code of Maryland

19 (2016 Volume and 2023 Supplement)

20 BY repealing and reenacting, with amendments,

21 Article – Alcoholic Beverages and Cannabis

22 Section 11-701(d), 11-801(c), 11-802(d), 11-803(c), 11-804(d), 11-805(d), 11-806(d),
23 11-901(d), 11-902(e), 11-903(c), 11-904(c), 11-905(e), 11-906(d), 11-907(d),

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.



11-1001(f), 11-1002(f), 11-1002.1(g), 11-1002.2(f), 11-1003(e), 11-1004(g),
11-1005(g), 11-1006(e), ~~11-1006.1(h)~~ 11-1006.1, 11-1006.2(h), 11-1007(g),
11-1007.1(f), 11-1008(f), 11-1008.1(g), 11-1009(e), 11-1010(f), ~~11-1102,~~
~~11-1103(e), 11-1103.1(e), 11-1104(f), 11-1305(g), 11-1306(e), 11-1307(e),~~
~~11-1308(e)~~ 11-1305 through 11-1308, 11-1311, and 11-1608(h), ~~11-1703,~~
~~and 11-1802~~

Annotated Code of Maryland
(2016 Volume and 2023 Supplement)

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

Article – Alcoholic Beverages and Cannabis

11-102.

This title applies only in Anne Arundel County.

11-701.

(a) There is a Class A light wine license in the county.

(d) The annual license fee is **[\$60] \$81**.

11-801.

(a) There is a Class A beer and light wine license.

(c) The annual license fee is **[\$240] \$324**.

11-802.

(a) There is a Class B beer and light wine license.

(d) The annual license fee is **[\$480] \$648**.

11-803.

(a) There is a Class C beer and light wine license.

(c) The annual license fee is **[\$120] \$162**.

11-804.

(a) There is a Class D beer and light wine license.

(d) The annual license fee is **[\$480] \$648**.

1 11-805.

2 (a) There is a Class H beer and light wine license.

3 (d) The annual license fee is ~~[\$360]~~ **\$486**.

4 11-806.

5 (a) There is a beer and wine (hotel-limited service) license.

6 (d) The annual license fee is ~~[\$2,400]~~ **\$3,240** to be paid on or before May 1.

7 11-901.

8 (a) There is a Class A beer, wine, and liquor license.

9 (d) The annual license fee is ~~[\$720]~~ **\$972**.

10 11-902.

11 (a) There is a Class B beer, wine, and liquor license.

12 (e) The annual fee for the license is ~~[\$1,080]~~ **\$1,458**.

13 11-903.

14 (a) There is a Class C beer, wine, and liquor license.

15 (c) The annual license fee is ~~[\$480]~~ **\$648**.

16 11-904.

17 (a) There are:

18 (1) a Class D beer, wine, and liquor license for on- and off-premises
19 consumption; and

20 (2) a limited Class D beer, wine, and liquor license for on-premises
21 consumption only.

22 (c) The annual license fees are:

23 (1) ~~[\$1,200]~~ **\$1,620** for a Class D license; and

24 (2) ~~[\$1,080]~~ **\$1,458** for a limited Class D license.

1 11-905.

2 (a) There is a Class H beer, wine, and liquor license.

3 (e) The annual license fee is [~~\$960~~] **\$1,296**.

4 11-906.

5 (a) There is a beer, wine, and liquor (hotel-limited service) license.

6 (d) The annual license fee is [~~\$2,800~~] **\$3,780**.

7 11-907.

8 (a) There is a motel/hotel-restaurant license.

9 (d) The annual license fee is [~~\$3,600~~] **\$4,860** for each separate establishment.

10 11-1001.

11 (a) There is an airport concessionaire license.

12 (f) (1) (i) The annual fee for the license and one location from which
13 alcoholic beverages may be sold is [~~\$5,000~~] **\$6,750**.

14 (ii) The annual fee for each additional location from which alcoholic
15 beverages may be sold is [~~\$5,000~~] **\$6,750**.

16 (2) Each fee shall be paid on or before May 1 to the Board.

17 11-1002.

18 (a) There is a barbershop and beauty salon beer and wine license.

19 (f) The annual license fee is [~~\$100~~] **\$135**.

20 11-1002.1.

21 (b) There is a commercial bingo license.

22 (g) The annual license fee is [~~\$2,500~~] **\$3,375**.

23 11-1002.2.

24 (a) There is a Class C (country and golf club) license.

(f) The annual license fee is ~~[\$1,800]~~ **\$2,430**.

11-1003.

(a) There is a Class C (country club) license.

(e) The annual license fee is ~~[\$750]~~ **\$1,012**.

11-1004.

(b) There is an entertainment concessionaire license.

(g) (1) The annual fee for the license is ~~[\$5,000]~~ **\$6,750**.

(2) The fee shall be paid on or before May 1 to the Board.

11-1005.

(b) There is an entertainment facility license.

(g) (1) The annual fee for the license is ~~[\$15,000]~~ **\$20,250**.

(2) The fee shall be paid on or before May 1 to the Board.

11-1006.

(a) There is a Class C (fraternal/sororal) organization license.

(e) The annual license fee is ~~[\$400]~~ **\$540**.

11-1006.1.

(a) There is a gift basket ~~permit~~ **LICENSE**.

(b) (1) The Board may issue the [permit] LICENSE to a person:

(i) whose primary business is the sale and delivery of flowers;

(ii) whose business includes the sale and delivery of gift baskets of flowers, food, or other items; and

(iii) who does not hold any other alcoholic beverages license or permit under this article.

(2) The Board may not issue the [permit] LICENSE for use in conjunction with or on the premises of a chain store, supermarket, or discount house.

(c) A holder of the [permit] LICENSE:

(1) may sell and deliver, to consumers of a legal drinking age located in the county, gift baskets containing:

(i) not more than 72 ounces of beer;

(ii) not more than 2.25 liters of wine; or

(iii) not more than 2.25 liters of liquor; and

(2) shall maintain records and submit reports as required by the Board.

(d) (1) Subject to paragraph (2) of this subsection, the [permit] LICENSE holder or an employee of the [permit] LICENSE holder shall:

(i) deliver the gift basket containing alcoholic beverages; and

(ii) require the person receiving a delivery of a gift basket containing alcoholic beverages to display proof that the person is at least 21 years old.

(2) An individual who delivers a gift basket containing alcoholic beverages shall be at least 21 years old.

(e) The holder's annual sales from alcoholic beverages may not exceed 10% of the holder's annual gross sales.

(f) [The alcoholic beverages contained in a gift basket shall be purchased from a retail license holder.] NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A HOLDER OF THE LICENSE MAY PURCHASE ALCOHOLIC BEVERAGES FROM A RETAIL DEALER.

(g) The Board shall adopt regulations to carry out this section.

(h) The fee for a gift basket ~~permit~~ LICENSE is [\$100] **\$135.**

11-1006.2.

(a) There is a Class MT (movie theater) beer and wine license.

(h) The annual license fee is [\$1,200] **\$1,620.**

11-1007.

1 (a) There is a racetrack license.

2 (g) The annual license fee is **[\$25,000] \$33,750** to be paid to the Board on or
3 before January 1 for the racing of the preceding year.

4 11-1007.1.

5 (a) There is a racetrack concessionaire license.

6 (f) The annual license fee is **[\$5,000] \$6,750**.

7 11-1008.

8 (b) There is a resort complex license.

9 (f) (1) The annual license fee is **[\$1,800] \$2,430**.

10 (2) The fee shall be paid on or before May 1 to the Board.

11 11-1008.1.

12 (a) There is a Class C (small yacht club) license.

13 (g) The annual license fee is **[\$525] \$709**.

14 11-1009.

15 (a) There is a Class C (veterans' organization) license.

16 (e) The annual license fee is **[\$400] \$540**.

17 11-1010.

18 (a) There is a Class C (yacht club) license.

19 (f) The annual license fee is **[\$1,800] \$2,430**.

20 ~~11-1102.~~

21 ~~(a) (1) On the premises, or on adjacent property over which a license holder~~
22 ~~has ownership or control, a license holder:~~

23 ~~(i) may allow piped-in background music or one television screen;~~
24 ~~but~~

~~(ii) unless issued a permit described in this section that authorizes the activity, may not allow:~~

- ~~1. the playing of music, including live music;~~
- ~~2. the operation of a karaoke machine;~~
- ~~3. the playing of music by a disc jockey; or~~
- ~~4. dancing, floor shows, or any other similar type of entertainment.~~

~~(2) The Board may issue a permit described in this section only if the Board finds that:~~

~~(i) the applicant can control the individuals using the licensed premises;~~

~~(ii) the operation of the premises under the permit will not unduly disturb the peace of the residents of the neighborhood in which the place of business is located; and~~

~~(iii) the issuing of the permit:~~

- ~~1. is necessary to accommodate the public;~~
- ~~2. will not be detrimental to the public welfare; and~~
- ~~3. will not violate a county fire, health, or building regulation.~~

~~(b) (1) There is a music permit.~~

~~(2) The Board may issue the permit to a holder of a Class B license, a Class BLX license, a Class D license, or a Class H license.~~

~~(3) The permit authorizes the playing of recorded music or live music with not more than two musicians.~~

~~(4) The permit holder may not allow dancing, floor shows, or similar live entertainment.~~

~~(5) The annual permit fee is [\$100] \$135.~~

~~(c) (1) There is an entertainment permit.~~

~~(2) The Board may issue the permit to a holder of a Class B license, a Class BLX license, a Class D license, or a Class H license.~~

~~(3) The permit authorizes:~~

~~(i) live music with not more than four musicians; and~~

~~(ii) the playing of:~~

~~1. more than one television;~~

~~2. a karaoke machine; and~~

~~3. music by a disc jockey.~~

~~(4) The permit holder may not allow dancing, floor shows, or similar live entertainment.~~

~~(5) The annual permit fees are:~~

~~(i) ~~[\$200]~~ \$270 for a holder of a beer and wine license; and~~

~~(ii) ~~[\$300]~~ \$405 for a holder of a beer, wine, and liquor license.~~

~~(d) (1) There is a dancing permit.~~

~~(2) The Board may issue the permit to a holder of:~~

~~(i) a Class B license;~~

~~(ii) except as provided in paragraph (4) of this subsection, a Class BLX license;~~

~~(iii) a Class C license;~~

~~(iv) a Class D license; or~~

~~(v) except as provided in paragraph (4) of this subsection, a Class H license.~~

~~(3) The permit authorizes the holder to provide music, dancing, and other legal forms of entertainment.~~

~~(4) The Board may not issue the permit to a holder of a Class BLX license or a Class H license if the premises for which the Class BLX license or Class H license is issued is within 1,000 feet in a straight line from entry to entry from a place of worship or school.~~

~~(5) The annual permit fees are:~~

~~(i) [\$200] \$270 for a holder of a beer and wine license;~~

~~(ii) [\$400] \$540 for a holder of a beer, wine, and liquor license; and~~

~~(iii) no charge for a holder of a Class C license.~~

~~(e) (1) There is an outdoor permit.~~

~~(2) The Board may issue the permit to a holder of a Class B license, a Class BLX license, a Class C license, a Class D license, or a Class H license.~~

~~(3) The permit authorizes the holder to provide outdoor table service to customers on the grounds of the licensed establishment.~~

~~(4) The annual permit fee is [\$100] \$135.~~

~~(5) Before the permit may be renewed, a holder shall obtain approval from the Board.~~

~~(f) (1) There is an outdoor entertainment permit.~~

~~(2) The Board may issue the permit to a holder of a Class B license, a Class BLX license, a Class C license, a Class D license, or a Class H license who also holds a music permit, an entertainment permit, or a dancing permit under this section.~~

~~(3) The permit authorizes the holder to provide:~~

~~(i) the same form of entertainment outdoors that the holder is allowed to provide indoors under the holder's music permit, entertainment permit, or dancing permit; and~~

~~(ii) outdoor table service or cafe service.~~

~~11-1103.~~

~~(a) The Board may issue a refillable container permit for draft beer to a holder of a Class A license, a Class B license, or a Class D license.~~

~~(e) The annual permit fees are:~~

~~(1) [\$50] \$67 for an applicant whose license has an off-sale privilege; and~~

~~(2) [\$500] \$675 for an applicant whose license does not have an off-sale privilege.~~

1 ~~11-1103.1.~~

2 ~~(a) The Board may issue a nonrefillable container permit for draft beer to a holder~~
3 ~~of a Class A license, a Class B license, or a Class D license.~~

4 ~~(c) (1) Except as provided in paragraph (2) of this subsection, the annual~~
5 ~~permit fees are:~~

6 ~~(i) [\$50] \$67 for an applicant whose license has an off-sale~~
7 ~~privilege; and~~

8 ~~(ii) [\$500] \$675 for an applicant whose license does not have an~~
9 ~~off-sale privilege.~~

10 ~~(2) An applicant who has a refillable container permit may not be charged~~
11 ~~a fee for a nonrefillable container permit.~~

12 ~~11-1104.~~

13 ~~(b) There is a Sunday permit.~~

14 ~~(f) The annual permit fees are:~~

15 ~~(1) [\$60] \$81 for a beer and light wine Sunday permit; and~~

16 ~~(2) [\$120] \$162 for a beer, wine, and liquor Sunday permit.~~

17 ~~11-1305.~~

18 ~~(a) There is a Class WS wine sampling license.~~

19 ~~(g) The license fee is [\$15] \$20 per day.~~

20 ~~11-1306.~~

21 ~~(a) There is a Class WT wine tasting license.~~

22 ~~(c) The annual license fee is:~~

23 ~~(1) [\$50] \$67 for a holder of a Class BW license; and~~

24 ~~(2) [\$150] \$202 for a holder of a Class BWL license.~~

25 ~~11-1307.~~

~~(a) There is a BWT beer and wine tasting license.~~

~~(e) In addition to the Class A annual fee, the annual license fee is [\$150] \$202.~~

~~11-1308.~~

~~(a) There is a BWLT beer, wine, and liquor tasting license.~~

~~(e) In addition to the Class A annual fee, the annual license fee is [\$500] \$675.~~

~~11-1305.~~

(a) There is a Class WS wine sampling [license] PERMIT.

(b) The Board may issue the [license] PERMIT to a nonprofit organization.

(c) (1) The [license] PERMIT authorizes the on-premises consumption of wine for sampling:

(i) on premises for which a Class B beer and wine or beer, wine, and liquor license has been issued, with the consent of the holder of the license for the premises; or

(ii) at a location that is not already licensed.

(2) The [license] PERMIT holder may bring wine onto the Class B licensed premises for sampling.

(d) The nonprofit organization shall apply for the [license] PERMIT at least 15 days before the [license] PERMIT is issued.

(e) The Board may issue not more than 12 [licenses] PERMITS in a license year to a single nonprofit organization.

(f) The [license] PERMIT holder may serve a quantity of not more than 2 ounces from each offering to an individual.

(g) The [license] PERMIT fee is \$15 per day.

11-1306.

(a) There is a Class WT wine tasting [license] PERMIT.

(b) The Board may issue the [license] PERMIT to a holder of a Class BW license or Class BWL license.

1 (c) The [license] PERMIT authorizes the [license] PERMIT holder to allow
2 on-premises consumption for tasting of light wine.

3 (d) The [license] PERMIT holder may serve a quantity of not more than 1 ounce
4 from each offering to an individual.

5 (e) The annual [license] PERMIT fee is:

6 (1) \$50 for a holder of a Class BW license; and

7 (2) \$150 for a holder of a Class BWL license.

8 11-1307.

9 (a) There is a BWT beer and wine tasting [license] PERMIT.

10 (b) The Board may issue the [license] PERMIT to a holder of a Class A beer, wine,
11 and liquor license or Class A beer and wine license.

12 (c) The [license] PERMIT authorizes a [license] PERMIT holder to allow
13 on-premises consumption of beer and light wine for tasting.

14 (d) The [license] PERMIT holder may serve to an individual:

15 (1) light wine in a quantity of not more than 1 ounce from each offering;
16 and

17 (2) beer in a quantity of not more than 3 ounces.

18 (e) In addition to the Class A annual LICENSE fee, the annual [license] PERMIT
19 fee is \$150.

20 11-1308.

21 (a) There is a BWLT beer, wine, and liquor tasting [license] PERMIT.

22 (b) The Board may issue the [license] PERMIT to a holder of a Class A beer, wine,
23 and liquor license or Class A beer and wine license.

24 (c) The [license] PERMIT authorizes a [license] PERMIT holder to allow
25 on-premises consumption of beer, light wine, and liquor for tasting.

26 (d) The [license] PERMIT holder may serve to an individual:

27 (1) liquor in a quantity of not more than one-half ounce each from any of
28 five offerings per day;

1 (2) light wine in a quantity of not more than 1 ounce from each offering;
2 and

3 (3) beer in a quantity of not more than 3 ounces.

4 (e) In addition to the Class A annual LICENSE fee, the annual [license] PERMIT
5 fee is \$500.

6 11–1311.

7 (a) The fee for a Class C per diem beer license and a Class C per diem beer and
8 wine license is ~~[\$25]~~ **\$34** per day.

9 (b) The fee for a Class C per diem beer, wine, and liquor license is ~~[\$50]~~ **\$67** per
10 day.

11 11–1608.

12 (b) The Board may issue a 7–day Class BLX deluxe restaurant on–sale beer, wine,
13 and liquor license.

14 (h) The annual license fee is ~~[\$1,200]~~ **\$1,620.**

15 ~~11–1703.~~

16 ~~(a) This section does not apply to a club license.~~

17 ~~(b) The fee for a transfer of location or ownership of a license is ~~[\$200]~~ **\$270.**~~

18 ~~11–1802.~~

19 ~~An applicant for a license renewal shall pay to the local collecting agent a~~
20 ~~nonrefundable renewal fee of ~~[\$50]~~ **\$67** in addition to the annual license fee.~~

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
22 1, 2024.