

SENATE BILL 734

A2

4lr2762
CF HB 635

By: **Harford County Senators**

Introduced and read first time: January 31, 2024

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Harford County – Alcoholic Beverages – Performing Arts Nonprofit**
3 **Organization License**

4 FOR the purpose of repealing the performing arts theater beer and wine license in Harford
5 County; establishing in Harford County a performing arts nonprofit organization
6 license that authorizes the holder to sell or serve beer, wine, and liquor at certain
7 locations for on–premises consumption; and generally relating to alcoholic beverages
8 licenses in Harford County.

9 BY repealing and reenacting, without amendments,
10 Article – Alcoholic Beverages and Cannabis
11 Section 22–102
12 Annotated Code of Maryland
13 (2016 Volume and 2023 Supplement)

14 BY repealing
15 Article – Alcoholic Beverages and Cannabis
16 Section 22–1005.2
17 Annotated Code of Maryland
18 (2016 Volume and 2023 Supplement)

19 BY adding to
20 Article – Alcoholic Beverages and Cannabis
21 Section 22–1005.2
22 Annotated Code of Maryland
23 (2016 Volume and 2023 Supplement)

24 BY repealing and reenacting, with amendments,
25 Article – Alcoholic Beverages and Cannabis
26 Section 22–1501(b)(2)
27 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(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

22–102.

This title applies only in Harford County.

[22–1005.2.

(a) In this section, “performing arts theater” means an area, a building, or a structure designed and used for plays, acts, dramas, concerts, or histrionics by actors or actresses performing on a stage or the showing of movies or films.

(b) There is a performing arts theater beer and wine license.

(c) The Board may issue the license for use on the premises of a performing arts theater operated by a nonprofit organization.

(d) The license authorizes the holder to sell or serve beer and wine at retail for on–premises consumption.

(e) The license holder may sell or serve beer and wine:

(1) 1 hour before and after a performance;

(2) during a performance;

(3) during an intermission; and

(4) during a reception 1 hour before or 1 hour after a performance.

(f) The license may not be transferred to another location.

(g) The license holder shall purchase beer and wine from an authorized and licensed wholesaler.

(h) Issuance of a license under this section does not prohibit the Board from issuing a Class C per diem license that applies to the performing arts theater.

(i) The license holder shall serve or offer for sale snacks at all times when beer and wine are sold.

(j) The annual license fee is \$500.]

1 **22-1005.2.**

2 **(A) IN THIS SECTION, “PERFORMING ARTS NONPROFIT ORGANIZATION”**
3 **MEANS A NONPROFIT ORGANIZATION THAT ORGANIZES THE PRODUCTION OF PLAYS,**
4 **ACTS, DRAMAS, CONCERTS, OR SIMILAR EVENTS BY INDIVIDUALS PERFORMING ON**
5 **A STAGE OR THE SHOWING OF FILMS.**

6 **(B) THERE IS A PERFORMING ARTS NONPROFIT ORGANIZATION BEER,**
7 **WINE, AND LIQUOR LICENSE.**

8 **(C) THE BOARD MAY ISSUE THE LICENSE TO A PERFORMING ARTS**
9 **NONPROFIT ORGANIZATION.**

10 **(D) (1) THE LICENSE AUTHORIZES THE HOLDER TO SELL OR SERVE BEER,**
11 **WINE, AND LIQUOR AT RETAIL FOR ON-PREMISES CONSUMPTION AT UP TO THREE**
12 **LOCATIONS DESIGNATED AT THE TIME OF APPLICATION.**

13 **(2) THE LOCATIONS DESIGNATED AT THE TIME OF APPLICATION**
14 **MUST:**

15 **(I) BE SUITABLE FOR THE PRODUCTION OF PLAYS, ACTS,**
16 **DRAMAS, CONCERTS, OR SIMILAR EVENTS BY INDIVIDUALS PERFORMING ON A**
17 **STAGE OR THE SHOWING OF FILMS; AND**

18 **(II) MEET ANY OTHER REQUIREMENTS ESTABLISHED BY THE**
19 **BOARD.**

20 **(3) THE LICENSE HOLDER MAY ALTER THE AUTHORIZED LOCATIONS**
21 **EACH TIME THE LICENSE IS RENEWED.**

22 **(E) THE LICENSE HOLDER MAY SELL OR SERVE BEER, WINE, AND LIQUOR:**

23 **(1) 1 HOUR BEFORE AND AFTER A PERFORMANCE;**

24 **(2) DURING A PERFORMANCE;**

25 **(3) DURING AN INTERMISSION; AND**

26 **(4) DURING A RECEPTION WITHIN 1 HOUR BEFORE OR AFTER A**
27 **PERFORMANCE.**

1 **(F) THE LICENSE MAY NOT BE TRANSFERRED TO ANOTHER LOCATION NOT**
2 **IDENTIFIED ON THE APPLICATION.**

3 **(G) THE LICENSE HOLDER SHALL PURCHASE BEER, WINE, AND LIQUOR**
4 **FROM A RETAIL LICENSE HOLDER OR AN AUTHORIZED AND LICENSED WHOLESALER.**

5 **(H) A LICENSE HOLDER MAY NOT SELL OR ISSUE MORE THAN 750 TICKETS**
6 **TO ANY EVENT OR PERFORMANCE AT WHICH THE HOLDER WILL SELL OR SERVE**
7 **BEER, WINE, OR LIQUOR.**

8 **(I) ISSUANCE OF A LICENSE UNDER THIS SECTION DOES NOT PROHIBIT THE**
9 **BOARD FROM ISSUING A CLASS C PER DIEM LICENSE TO THE PERFORMING ARTS**
10 **NONPROFIT ORGANIZATION FOR AN EVENT OUTSIDE THE SCOPE OF THE LICENSE.**

11 **(J) THE LICENSE HOLDER SHALL SERVE OR OFFER FOR SALE SNACKS AT**
12 **ALL TIMES WHEN BEER, WINE, AND LIQUOR ARE SOLD.**

13 **(K) THE ANNUAL LICENSE FEE IS \$750.**

14 22–1501.

15 (b) The following sections of Title 4, Subtitle 2 (“Issuance or Denial of Local
16 Licenses”) of Division I of this article apply in the county:

17 (2) § 4–203 (“Prohibition against issuing multiple licenses to individual or
18 for use of entity”), subject to §§ 22–1503 and 22–1504 of this subtitle and Subtitle 13, Part
19 III [and], Subtitle 16, Part II, **AND § 22–1005.2** of this title;

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