

SENATE BILL 430

A2

2lr2831
CF HB 1210

By: **Senator Hayes**

Introduced and read first time: January 26, 2022

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 1, 2022

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City – Alcoholic Beverages Licenses – Transfer**

3 FOR the purpose of authorizing the Board to waive certain distance restrictions under
4 certain circumstances; authorizing the transfer of a certain Class A alcoholic
5 beverages license from a certain area in Baltimore City to another area in Baltimore
6 City; and generally relating to alcoholic beverages licenses in Baltimore City.

7 BY repealing and reenacting, without amendments,

8 Article – Alcoholic Beverages

9 Section 12–102

10 Annotated Code of Maryland

11 (2016 Volume and 2021 Supplement)

12 BY repealing and reenacting, with amendments,

13 Article – Alcoholic Beverages

14 Section 12–1605(a) and 12–1707

15 Annotated Code of Maryland

16 (2016 Volume and 2021 Supplement)

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

19 **Article – Alcoholic Beverages**

20 12–102.

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.



This title applies only in Baltimore City.

12-1605.

(a) (1) (i) Except as otherwise provided in this subsection, a new license may not be issued for and an existing license may not be moved to a building that is within 300 feet of the nearest point of the building of a place of worship or school.

(ii) In the 45th legislative district, a new Class A license of any type may not be issued for a building that is within 500 feet of the nearest point of the building of a place of worship or school.

(2) Paragraph (1)(i) of this subsection does not apply to:

(i) a Class B beer and wine license outside the 46th legislative district;

(ii) a Class B beer, wine, and liquor license outside the 46th legislative district;

(iii) a Class B-D-7 license in the Old Goucher Revitalization District under § 12-1603(e) of this subtitle;

(iv) a Class C beer and wine license; and

(v) a Class C beer, wine, and liquor license.

(3) A license for use in a building that is within 300 feet of the grounds of a place of worship or school may be renewed or extended for the same building.

(4) (i) This paragraph applies only to an area bounded by:

1. High Street on the west, Pratt Street on the north, Central Avenue on the east, and Eastern Avenue on the south;

2. West Cross Street and Amity Street on the west, Clifford Street on the north, Scott Street on the east, and Carroll Street on the south; or

3. Holliday Street on the west, Saratoga Street on the north, Gay Street on the east, and Lexington Street on the south.

(ii) The Board may waive the distance restrictions in paragraph (1)(i) of this subsection for an application for the transfer of a license into an area specified in subparagraph (i) of this paragraph if:

1. the application is approved by:

1 A. each community association representing the area;

2 B. each business association in the area; and

3 C. the ordained leader and the board or council for each place
4 of worship that is within 300 feet of the proposed location of the establishment for which
5 the license transfer is sought; and

6 2. a memorandum of understanding is executed by the
7 applicant for the license transfer and each community association in the area.

8 **(5) (I) THIS PARAGRAPH APPLIES ONLY TO AN AREA BOUNDED BY**
9 **EAST CHASE STREET ON THE NORTH, NORTH LOVEGROVE STREET ON THE EAST,**
10 **EAST EAGER STREET ON THE SOUTH, AND NORTH CHARLES STREET ON THE WEST.**

11 **(II) THE BOARD MAY WAIVE THE DISTANCE RESTRICTIONS IN**
12 **PARAGRAPH (1)(I) OF THIS SUBSECTION FOR AN APPLICATION FOR THE TRANSFER**
13 **OF A LICENSE INTO AN AREA SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH.**

14 12-1707.

15 (a) The alcoholic beverages districts described in this section at all times are
16 coterminous with the legislative districts in the Legislative Districting Plan of 2012.

17 (b) Except as provided in subsection (c) of this section, a license may not be
18 transferred into:

19 (1) the 40th alcoholic beverages district;

20 (2) the 41st alcoholic beverages district;

21 (3) the 43rd alcoholic beverages district;

22 (4) the 44th alcoholic beverages district; and

23 (5) the 45th alcoholic beverages district.

24 (c) (1) Except as provided in paragraphs (2) [and (3)] **THROUGH (4)** of this
25 subsection, a license of any class may not be transferred into the areas described in
26 subsection (b) of this section.

27 (2) A licensed drugstore may transfer the license into the 45th alcoholic
28 beverages district.

(3) One Class B–D–7 license issued for a property surrounded by West Preston Street on the north, Morton Street on the east, West Biddle Street on the south, and Maryland Avenue on the west may be transferred to a property surrounded by West Eager Street and East Eager Street on the north, Lovegrove Street on the east, West Read Street and East Read Street on the south, and Morton Street on the west.

(4) ONE CLASS A BEER, ~~AND LIGHT~~ WINE, AND LIQUOR LICENSE ISSUED FOR A PROPERTY SURROUNDED BY WEST EAGER STREET ON THE NORTH, MORTON STREET ON THE EAST, BREXTON STREET ON THE SOUTH, AND CATHEDRAL STREET ON THE WEST MAY BE TRANSFERRED TO A PROPERTY SURROUNDED BY EAST CHASE STREET ON THE NORTH, NORTH LOVEGROVE STREET ON THE EAST, EAST EAGER STREET ON THE SOUTH, AND NORTH CHARLES STREET ON THE WEST.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2022.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.