

Chapter 747

(House Bill 242)

AN ACT concerning

**Montgomery County – Alcoholic Beverages – Consumption Only Marketplace
Licenses**

MC 06–22

FOR the purpose of authorizing the Montgomery County Board of License Commissioners to issue a consumption only marketplace license to the management company of a commercial shopping center; requiring that the designated outdoor area identified in a consumption only marketplace license application be within a certain distance of, rather than contiguous to, the commercial shopping center; and generally relating to consumption only marketplace licenses in Montgomery County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 25–102

Annotated Code of Maryland

(2016 Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 25–1004.1

Annotated Code of Maryland

(2016 Volume and 2021 Supplement)

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

Article – Alcoholic Beverages

25–102.

This title applies only in Montgomery County.

25–1004.1.

(a) In this section, “shopping center” means any combination of privately owned commercial, professional, or retail establishments to which the general public is invited for business purposes.

(b) There is a consumption only marketplace license.

(c) The Board may issue a consumption only marketplace license to the developer **OR THE MANAGEMENT COMPANY** of a commercial shopping center if the commercial shopping center:

- (1) encompasses an area of at least 10 acres;
- (2) includes at least one establishment for which a Class B license, Class BD–BWL license, Class D–BWL license, or Class H license has been issued; and
- (3) contains a designated outdoor area for the consumption of alcoholic beverages.

(d) The license authorizes the license holder to allow the consumption of beer, wine, and liquor in a designated outdoor area located within the commercial shopping center if the beer, wine, or liquor is purchased at an establishment:

- (1) that is located within the commercial shopping center;
- (2) for which a Class B license, Class BD–BWL license, or Class H license has been issued;
- (3) is [contiguous to] **WITHIN 1,000 FEET OF** the designated outdoor area; and
- (4) that uses containers branded with an identifying mark of the seller.

(e) As part of the license application, a developer shall include:

- (1) a description of the designated outdoor area and a list of the [contiguous] license holders whose beer, wine, and liquor may be consumed in the designated outdoor area; and
- (2) a security plan that has been approved by the Montgomery County Department of Police.

(f) The license holder may allow the consumption of beer, wine, and liquor in the designated outdoor area on Monday through Sunday, from 11 a.m. to 11 p.m.

(g) The annual license fee is \$4,000.

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

Enacted under Article II, § 17(c) of the Maryland Constitution, May 29, 2022.