

SENATE BILL 904

A2

4lr3021
CF HB 1089

By: **Senator Hayes**

Introduced and read first time: February 2, 2024

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Alcoholic Beverages – Class B Beer, Wine, and Liquor Licenses**

3 FOR the purpose of authorizing the Board of License Commissioners for Baltimore City to
4 issue a Class B beer, wine, and liquor license in a certain area; establishing the
5 requirements for a holder of the license; and generally relating to alcoholic beverages
6 licenses in Baltimore City.

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

12 BY adding to
13 Article – Alcoholic Beverages and Cannabis
14 Section 12–1606
15 Annotated Code of Maryland
16 (2016 Volume and 2023 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 and Cannabis**

20 12–102.

21 This title applies only in Baltimore City.

22 **12–1606.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW IN THIS TITLE, THE BOARD MAY ISSUE A CLASS B BEER, WINE, AND LIQUOR LICENSE FOR USE BY A RESTAURANT IN WARD 4, PRECINCTS 1 AND 2 THAT:

(1) HAS AVERAGE DAILY RECEIPTS FROM THE SALE OF FOOD THAT ARE AT LEAST 51% OF THE TOTAL DAILY RECEIPTS OF THE RESTAURANT;

(2) HAS BEEN CLASSIFIED BY THE BALTIMORE CITY HEALTH DEPARTMENT AS:

(I) A HIGH PRIORITY FOOD SERVICE FACILITY; OR

(II) A MODERATE PRIORITY FOOD SERVICE FACILITY; AND

(3) HAS EXECUTED A MEMORANDUM OF UNDERSTANDING WITH THE DOWNTOWN PARTNERSHIP OF BALTIMORE.

(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE HOLDER OF A LICENSE ISSUED UNDER THIS SECTION MAY NOT SELL ALCOHOLIC BEVERAGES FOR OFF-PREMISES CONSUMPTION.

(2) THE BOARD MAY ISSUE THE HOLDER OF A LICENSE ISSUED UNDER THIS SECTION A REFILLABLE CONTAINER PERMIT IN ACCORDANCE WITH § 12-1102 OF THIS TITLE.

(C) A LICENSE ISSUED UNDER THIS SECTION MAY NOT BE TRANSFERRED FROM THE LOCATION OF ITS FIRST ISSUANCE.

(D) IF A LICENSE ISSUED UNDER THIS SECTION IS RENEWED, THE LICENSE HOLDER SHALL FILE WITH THE BOARD AS PART OF ITS RENEWAL APPLICATION:

(1) A STATEMENT DETAILING THE AVERAGE DAILY RECEIPTS FROM THE RESTAURANT;

(2) AN AFFIDAVIT FROM A CERTIFIED PUBLIC ACCOUNTANT THAT VERIFIES THAT THE LICENSE HOLDER MEETS THE REQUIREMENTS OF SUBSECTION (B)(1) OF THIS SECTION; AND

(3) ANY OTHER INFORMATION THAT THE BOARD REQUIRES.

(E) THE BOARD:

(1) MAY NOT ISSUE A NEW LICENSE UNDER THIS SECTION AFTER

1 **JUNE 30, 2028; BUT**

2 **(2) MAY CONTINUE TO RENEW LICENSES ISSUED ON OR BEFORE JUNE**
3 **30, 2028.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
5 1, 2024.