

HOUSE BILL 1283

A2

0lr1486

By: **Prince George's County Delegation**

Introduced and read first time: February 7, 2020

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Alcoholic Beverages – Cigar Lounge License**

3 **PG 312–20**

4 FOR the purpose of establishing a Class B–CL (cigar lounge) beer, wine, and liquor license
5 in Prince George's County; authorizing the Board of License Commissioners for
6 Prince George's County to issue a Class B–CL license for use at a cigar lounge;
7 establishing certain license application requirements; authorizing a license holder to
8 sell beer, wine, and liquor for on–premises consumption on certain days and during
9 certain hours; establishing a certain annual license fee; excluding a Class B–CL
10 license from certain distance restrictions; excluding a certain business that operates
11 in the county under a Class B–CL license from the requirements of the Clean Indoor
12 Air Act; and generally relating to alcoholic beverages licenses in Prince George's
13 County.

14 BY repealing and reenacting, without amendments,
15 Article – Alcoholic Beverages
16 Section 26–102
17 Annotated Code of Maryland
18 (2016 Volume and 2019 Supplement)

19 BY adding to
20 Article – Alcoholic Beverages
21 Section 26–1001.1
22 Annotated Code of Maryland
23 (2016 Volume and 2019 Supplement)

24 BY repealing and reenacting, with amendments,
25 Article – Alcoholic Beverages
26 Section 26–1604(a)
27 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2016 Volume and 2019 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 24–504
Annotated Code of Maryland
(2019 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 24–505(3)
Annotated Code of Maryland
(2019 Replacement Volume)

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

Article – Alcoholic Beverages

26–102.

This title applies only in Prince George’s County.

26–1001.1.

**(A) THERE IS A CLASS B–CL (CIGAR LOUNGE) BEER, WINE, AND LIQUOR
LICENSE.**

**(B) THE APPLICATION FOR THE LICENSE SHALL BE SIGNED BY AT LEAST
ONE OWNER OF THE CIGAR LOUNGE WHO IS A RESIDENT AND TAXPAYER OF THE
COUNTY.**

(C) THE BOARD MAY ISSUE THE LICENSE FOR USE AT A CIGAR LOUNGE.

**(D) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL BEER, WINE,
AND LIQUOR FOR ON–PREMISES CONSUMPTION.**

**(E) THE LICENSE HOLDER MAY SELL BEER, WINE, AND LIQUOR DURING THE
HOURS AND DAYS AS SET OUT FOR A CLASS C BEER, WINE, AND LIQUOR LICENSE
UNDER § 26–2004 OF THIS TITLE.**

(F) THE ANNUAL LICENSE FEE IS \$900.

26–1604.

(a) This section does not apply to:

(1) a holder of a Class B (RT) beer, wine, and liquor license, a Class BH (hotel) license, a Class BLX license, a Class BCE license, a Class B-DD (development district) license, a Class B-TP (theme park) license, a Class B-AE (arts and entertainment) license, **A CLASS B-CL (CIGAR LOUNGE) LICENSE**, or a per diem license;

(2) an establishment that is within:

(i) the 500-foot restricted distance of a place of worship, if the governing body of the place of worship consents in writing to the issuance of the license and the consent is filed with the license application; or

(ii) the 1,000-foot restricted distance of a private kindergarten or nursery school;

(3) a renewal or extension of a license issued for an establishment that is within the 500-foot restricted distance of a place of worship or the 1,000-foot restricted distance of a school building;

(4) (i) a transfer of a license within 1,000 feet of a place of worship or a school building to another establishment within the same restricted distance; or

(ii) an assignee of a license within the same distance of the same place of worship or school building;

(5) the issuance of a license for an establishment to which a license of the same class had been issued and was in effect on June 1, 1965; and

(6) the renewal of a license if a place of worship or school was built within 1,000 feet of the establishment after the original issuance of the license.

Article – Health – General

24–504.

Except as provided in § 24–505 of this subtitle, beginning on February 1, 2008, a person may not smoke in:

(1) An indoor area open to the public;

(2) An indoor place in which meetings are open to the public in accordance with Title 3 of the General Provisions Article;

(3) A government-owned or government-operated means of mass transportation including buses, vans, trains, taxicabs, and limousines; or

(4) An indoor place of employment.

24-505.

This subtitle does not apply to:

(3) A retail tobacco business that is a sole proprietorship, limited liability company, corporation, partnership, or other enterprise[, in which]:

(i) 1. [The] **IN WHICH THE** primary activity is the retail sale of tobacco products and accessories; and

[(ii)] 2. The sale of other products is incidental; **OR**

(II) THAT OPERATES IN PRINCE GEORGE'S COUNTY UNDER A CLASS B-CL (CIGAR LOUNGE) LICENSE ISSUED IN ACCORDANCE WITH § 26-1001.1 OF THE ALCOHOLIC BEVERAGES ARTICLE;

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2020.