

HOUSE BILL 377

A2

0lr0456

By: **Montgomery County Delegation**

Introduced and read first time: January 22, 2020

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 10, 2020

CHAPTER _____

1 AN ACT concerning

2 **Montgomery County – Alcoholic Beverages – Consumption Only Marketplace**
3 **License**

4 **MC 11–20**

5 FOR the purpose of establishing in Montgomery County a consumption only marketplace
6 license; authorizing the Board of License Commissioners to issue the license to the
7 developer of a commercial shopping center if the commercial shopping center meets
8 certain criteria; authorizing the license holder to allow the consumption of beer,
9 wine, and liquor in a designated outdoor area if the beer, wine, or liquor is purchased
10 from certain establishments; requiring a developer to include certain information in
11 the license application; providing for the hours of consumption for the license;
12 establishing an annual license fee; defining a certain term; and generally relating to
13 a consumption only marketplace license in Montgomery County.

14 BY repealing and reenacting, without amendments,
15 Article – Alcoholic Beverages
16 Section 25–102
17 Annotated Code of Maryland
18 (2016 Volume and 2019 Supplement)

19 BY adding to
20 Article – Alcoholic Beverages
21 Section 25–1004.1
22 Annotated Code of Maryland

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.



(2016 Volume and 2019 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~~ 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 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 THE DESIGNATED OUTDOOR AREA; AND

1 **(4) THAT USES CONTAINERS BRANDED WITH AN IDENTIFYING MARK**
2 **OF THE SELLER.**

3 **(E) AS PART OF THE LICENSE APPLICATION, A DEVELOPER SHALL INCLUDE:**

4 **(1) A DESCRIPTION OF THE DESIGNATED OUTDOOR AREA AND A LIST**
5 **OF THE CONTIGUOUS LICENSE HOLDERS WHOSE BEER, WINE, AND LIQUOR MAY BE**
6 **CONSUMED IN THE DESIGNATED OUTDOOR AREA; AND**

7 **(2) A SECURITY PLAN THAT HAS BEEN APPROVED BY THE**
8 **MONTGOMERY COUNTY ~~POLICE~~ DEPARTMENT OF POLICE.**

9 **(F) THE LICENSE HOLDER MAY ALLOW THE CONSUMPTION OF BEER, WINE,**
10 **AND LIQUOR IN THE DESIGNATED OUTDOOR AREA ON MONDAY THROUGH SUNDAY,**
11 **FROM 11 A.M. TO 11 P.M.**

12 **(G) THE ANNUAL LICENSE FEE IS \$4,000.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
14 1, 2020.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.