

Bill No.: _____
Requested: _____
Committee: _____

Drafted by: Lucas
Typed by: Don
Stored – 01/29/21
Proofread by _____
Checked by _____

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

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George’s County – Alcoholic Beverages – BLX License**

3 **PG 318–21**

4 FOR the purpose of providing that the requirement to obtain a certain entertainment
5 permit does not apply to the holder of a certain license under certain circumstances;
6 authorizing a certain license holder to offer entertainment when persons under the
7 age of 21 years are on the licensed premises under certain circumstances; requiring
8 a certain agreement and a certain lease to contain certain provisions; requiring the
9 license holder to meet with certain persons at certain times for certain purposes;
10 requiring the license holder to indemnify a certain entity for any recommendations
11 the license holder makes to the Board of License Commissioners for Prince George’s
12 County; 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 2020 Supplement)

19 BY repealing and reenacting, with amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 Article – Alcoholic Beverages
2 Section 26–1103(a) and 26–1616
3 Annotated Code of Maryland
4 (2016 Volume and 2020 Supplement)

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

7 **Article – Alcoholic Beverages**

8 26–102.

9 This title applies only in Prince George’s County.

10 26–1103.

11 (a) This section does not apply to a license holder that seeks to provide
12 entertainment if:

13 (1) the license of the license holder is issued under § 26–1003, § 26–1006, §
14 26–1008, § 26–1009, § 26–1010, § 26–1011, § 26–1014, § 26–1015, § 26–1016, [or] §
15 26–1018.1, **OR § 26–1616(H)** of this title; or

16 (2) the license is a veterans or fraternal Class C license and the license
17 holder provides entertainment that:

18 (i) is under the direct supervision of the license holder;

19 (ii) is for adults, children, and families of the organization or the
20 public; and

21 (iii) when offered, ends not later than midnight.

22 26–1616.

23 (a) There is a Class BLX license.

24 (b) The Board may issue the license for use in:

1 (1) a luxury-type restaurant, as defined in regulations of the Board, that
2 has:

3 (i) a minimum capital investment of \$1,000,000 for a dining room
4 facility and kitchen equipment, not including the cost of the land, building, or lease; and

5 (ii) seating for at least 100 individuals; and

6 (2) subject to subsection (c) of this section, a movie theater if:

7 (i) the owner or operator of the movie theater has invested at least
8 \$5,000,000 in renovating or remodeling the movie theater;

9 (ii) excluding candy and popcorn, the average daily receipts from the
10 sale of food of the movie theater exceed the average daily receipts from the sale of alcoholic
11 beverages; and

12 (iii) any employee who serves alcoholic beverages is certified by an
13 approved alcohol awareness program.

14 (c) The Board may not issue a Class BLX license to a movie theater in the 26th
15 legislative district.

16 (d) The holder of a Class BLX license issued for a movie theater may serve only
17 customers who have proof of admission to the movie theater.

18 (e) (1) If the criteria under subsection (b)(1) of this section are met, the Board
19 may issue or transfer one Class BLX license for use in a luxury-type restaurant on behalf
20 of:

21 (i) the county;

22 (ii) the Maryland-National Capital Park and Planning Commission;
23 or

24 (iii) a private concessionaire under contract with:

- 1 1. the county; or
- 2 2. the Maryland–National Capital Park and Planning
- 3 Commission.

4 (2) The Board may determine:

- 5 (i) the number of licenses to be issued;
- 6 (ii) to whom the license may be issued; and
- 7 (iii) whether a holder of an alcoholic beverages license may have an
- 8 interest in one Class BLX license.

9 (3) The license authorizes the license holder to sell beer, wine, and liquor

10 for on–premises consumption.

11 (f) (1) Subject to paragraphs (2) and (3) of this subsection, a person may not

12 hold more than 15 Class BLX licenses.

13 (2) The Board may issue:

14 (i) a fifth license to a license holder only if the date of application for

15 the fifth license is at least 1 year after the date the license holder was issued the fourth

16 license; and

17 (ii) a sixth license only if the date of application for the sixth license

18 is at least 1 year after the date the license holder was issued the fifth license.

19 (3) In determining whether to issue a fifth, sixth, or subsequent license to

20 a single license holder, the Board:

21 (i) shall consider the number of licensed establishments existing in

22 the area surrounding the site of the proposed licensed establishment; and

23 (ii) may issue an additional license only if the Board determines that

24 the proposed licensed establishment will enhance the recreational, business, and economic

25 development of the area.

1 (g) The profit realized from the sale of an alcoholic beverage under a license
2 issued under subsection (e)(1) of this section may be for the use and benefit of the license
3 holder.

4 (h) (1) THIS SUBSECTION APPLIES ONLY TO A LICENSE THAT IS ISSUED
5 FOR AN ESTABLISHMENT THAT IS LOCATED ON THE CAMPUS OF THE UNIVERSITY OF
6 MARYLAND, COLLEGE PARK WITHIN AN AREA THAT IS BOUNDED AS FOLLOWS:
7 FROM THE INTERSECTION OF ROSSBOROUGH LANE AND DIAMONDBACK DRIVE,
8 NORTH ON DIAMONDBACK DRIVE TO THE INTERSECTION WITH CAMPUS DRIVE,
9 SOUTHEAST ON CAMPUS DRIVE TO THE POINT WHERE CAMPUS DRIVE RUNS
10 DIRECTLY PARALLEL TO ROSSBOROUGH LANE WHERE IT INTERSECTS WITH RHODE
11 ISLAND AVENUE, SOUTH FROM THE ROADWAY OF CAMPUS DRIVE TO THE
12 INTERSECTION OF ROSSBOROUGH LANE AND RHODE ISLAND AVENUE, THEN
13 NORTHWEST ALONG ROSSBOROUGH LANE BACK TO THE INTERSECTION OF
14 ROSSBOROUGH LANE AND DIAMONDBACK DRIVE.

15 (2) NOTWITHSTANDING § 26-1103.1 OF THIS TITLE, THE LICENSE
16 HOLDER MAY OFFER ENTERTAINMENT WHEN INDIVIDUALS UNDER THE AGE OF 21
17 YEARS ARE PRESENT IF:

18 (I) THE LICENSE HOLDER ENTERS INTO AN AGREEMENT WITH
19 THE COLLEGE PARK CITY-UNIVERSITY PARTNERSHIP, THE CITY OF COLLEGE
20 PARK, AND THE UNIVERSITY OF MARYLAND TO WORK TOGETHER TO PROVIDE A
21 QUALITY RESTAURANT EXPERIENCE AND APPROPRIATE COMMUNITY-ORIENTED
22 ENTERTAINMENT TARGETED TOWARD BOTH THE LOCAL AND CAMPUS
23 COMMUNITIES; AND

24 (II) THE LEASE OF THE PROPERTY ON WHICH THE LICENSED
25 PREMISES IS LOCATED INCLUDES PROVISIONS THAT REQUIRE THE LICENSE
26 HOLDER TO:

27 1. IMMEDIATELY NOTIFY THE LANDLORD OF ANY
28 VIOLATION OR CITATION RELATING TO THE LICENSE;

29 2. WORK CLOSELY WITH THE COLLEGE PARK
30 CITY-UNIVERSITY PARTNERSHIP AND ITS MEMBERS TO MAINTAIN A SAFE AND
31 HEALTHY COMMUNITY-ORIENTED ESTABLISHMENT;

1 **3. PROVIDE TO THE COLLEGE PARK CITY-UNIVERSITY**
2 **PARTNERSHIP AND ITS MEMBERS EACH MONTH A LIST OF UPCOMING EVENTS;**

3 **4. PARTICIPATE IN REVIEWS;**

4 **5. MAINTAIN AND OPERATE THE FACILITY IN A MANNER**
5 **THAT IS SAFE, HEALTHY, AND COMMUNITY-ORIENTED; AND**

6 **6. REFRAIN FROM ADVERTISEMENTS OR INDUCEMENTS**
7 **THAT MAY BE INTERPRETED TO ENCOURAGE CONSUMPTION OF ALCOHOLIC**
8 **BEVERAGES BY UNDERAGE PATRONS.**

9 **(3) THE AGREEMENT UNDER PARAGRAPH (2)(I) OF THIS SUBSECTION**
10 **SHALL PROVIDE THAT:**

11 **(I) LIVE MUSIC AND ENTERTAINMENT WILL GENERALLY START**
12 **BY 8:00 P.M. OR 9:00 P.M. AND END BY MIDNIGHT, BUT MAY ON OCCASION OCCUR**
13 **BETWEEN 8:00 A.M. AND 8:00 P.M.;**

14 **(II) IF AN EVENT IS ANTICIPATED TO EXTEND LATER THAN**
15 **MIDNIGHT, THE LICENSE HOLDER SHALL INFORM AND REQUEST COMMENT FROM**
16 **THE UNIVERSITY OF MARYLAND AND THE COLLEGE PARK CITY-UNIVERSITY**
17 **PARTNERSHIP; AND**

18 **(III) THE LICENSE HOLDER SHALL EMPLOY APPROPRIATE**
19 **LEVELS OF SECURITY FOR EVERY LIVE MUSIC AND ENTERTAINMENT EVENT.**

20 **(4) THE LICENSE HOLDER SHALL MEET WITH THE COLLEGE PARK**
21 **CITY-UNIVERSITY PARTNERSHIP BOARD OF DIRECTORS EVERY 6 MONTHS TO**
22 **REVIEW REPORTS AND SECURITY MEASURES AND TO ASSIST IN IMPROVEMENT OF**
23 **COMMUNITY-ORIENTED EVENTS.**

24 **(5) THE LICENSE HOLDER SHALL INDEMNIFY THE COLLEGE PARK**
25 **CITY-UNIVERSITY PARTNERSHIP FOR ANY RECOMMENDATIONS THE LICENSE**
26 **HOLDER MAKES TO THE BOARD.**

27 **(I) The annual license fee is \$3,875.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
2 1, 2021.

DRAFT