

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1973.

Approved April 10, 1973.

-----

## CHAPTER 44

(House Bill 705)

AN ACT to repeal and re-enact, with amendments, subsection (h-1) of Section 19 and subsection (c)(1) of Section 37 of Article 2B of the Annotated Code of Maryland (1968 Replacement Volume and 1972 Supplement), title "Alcoholic Beverages," subtitle "Beer, Wine and Liquor Licenses," and subtitle "Local Licenses and License Provisions," to provide that in Montgomery County the rooms of a hotel meeting minimum requirements may be included as the licensed premises; to provide that it is unlawful for any person to keep or consume any alcoholic beverage on any premises open to the public unless otherwise permitted under this Article; and to permit alcoholic beverages to be kept or consumed in the room of a registered guest even though such room may be a part of the licensed premises.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That subsection (h-1) of Section 19 and subsection (c)(1) of Section 37 of Article 2B of the Annotated Code of Maryland (1968 Replacement Volume and 1972 Supplement), title "Alcoholic Beverages," subtitle "Beer, Wine and Liquor Licenses," and subtitle "Local Licenses and License Provisions," be and they are hereby repealed and re-enacted, with amendments, to read as follows:

19.

(h-1) In Montgomery County such a license shall be issued by the clerk, upon the advice and approval of the board of license commissioners, only to the owner of any restaurant or hotel, having a minimum dining area of 1,000 square feet located in the third, fourth, seventh, eighth, ninth, tenth, or thirteenth election districts of said county except in the towns of Poolesville, Takoma Park and Kensington. As a prerequisite for the initial issuance of a license under this subsection, the owner must attest in a sworn statement that gross receipts from food sales in the restaurant or hotel will be in excess of two times the gross receipts from the sale of alcoholic beverages. As a prerequisite for each renewal of a license issued under this subsection, the owner must attest in a sworn statement that the gross receipts from food sales in the restaurant or hotel for the twelve-month period immediately preceding the application for renewal have been in excess of two times the gross receipts from the sale of alcoholic beverages. The board of license commissioners shall by rule and regulation provide for periodic inspection of the premises and for audits to determine the ratio of gross receipts from the sale of food to gross receipts from the sale of alcoholic beverages. Any rules and regulations adopted by the board as aforesaid shall include a requirement of (1) at least monthly physical inspections of the premises during the initial license year of any licensee and (2) the submission by the licensee to the board, during the initial license year aforesaid, of monthly statements showing gross receipts from the sale of food and gross receipts from the sale of alcoholic beverages for the immediately preceding month. In the event that a licensee hereunder, during the initial license year, shall fail to maintain gross receipts from the sale of food at least twice those from the sale of alcoholic beverages for a period of three