

liquor (on-sale) hotel and restaurant license to a Class D beer, wine and liquor (on-sale) license in Baltimore County under certain circumstances; providing certain exceptions; and providing that this Act is an emergency measure.

BY adding to

Article 2B - Alcoholic Beverages
Section 74(k)
Annotated Code of Maryland
(1981 Replacement Volume and 1983 Supplement)

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

Article 2B - Alcoholic Beverages

74.

(K) IN BALTIMORE COUNTY:

(1) EXCEPT FOR THE TRANSFER PROVIDED FOR IN PARAGRAPH (2) OF THIS SUBSECTION, ALL CLASSES OF ALCOHOLIC BEVERAGES LICENSES SHALL BE TRANSFERRED AS PROVIDED FOR IN SUBSECTION (A) OF THIS SECTION.

(2) THE BOARD MAY, AFTER A HEARING, GRANT A TRANSFER OF A CLASS B BEER, WINE AND LIQUOR (ON-SALE) HOTEL AND RESTAURANT LICENSE TO A CLASS D BEER, WINE AND LIQUOR (ON-SALE) LICENSE IF, BEFORE THE ANNUAL RENEWAL OF THE LICENSE, THE HOLDER:

(I) IS CITED BY THE BOARD FOR VIOLATING THE LICENSE RESTRICTION CONCERNING THE PERCENT OF FOOD SOLD VERSUS THE PERCENT OF ALCOHOLIC BEVERAGES SOLD; OR

(II) BECAUSE OF HARDSHIP OR ECONOMIC CONDITIONS, KNOWS THAT THIS RESTRICTION IS BEING VIOLATED ON THE LICENSED PREMISES AND NOTIFIES THE BOARD IN WRITING OF THIS VIOLATION AND THE REASONS FOR REQUESTING THE TRANSFER.

(3) A LICENSE MAY NOT BE TRANSFERRED IN ACCORDANCE WITH THE PROVISIONS OF PARAGRAPH (2) OF THIS SUBSECTION UNLESS AFTER THE HEARING THE BOARD FINDS THAT THE TRANSFER IS IN THE BEST INTEREST, HEALTH, SAFETY AND WELFARE OF THE NEIGHBORHOOD IN WHICH THE LICENSE TRANSFER IS TO BE GRANTED.

(4) THIS SECTION DOES NOT APPLY TO THE EXCEPTIONS FROM THE POPULATION REQUIREMENTS PROVIDED FOR IN SECTION 47A(A)(3), (4), AND (5) OF THIS ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is hereby declared to be an emergency measure and necessary for the immediate preservation of the public health and safety and having