

(3) IF THE BOARD FINDS THAT A VIOLATION OF THIS SUBSECTION HAS OCCURRED, THE BOARD SHALL SUSPEND OR REVOKE THE LICENSE FOR THE PREMISES WHERE THE VIOLATION OCCURRED, IMPOSE A FINE ON THE HOLDER OF THE LICENSE FOR THE PREMISES WHERE THE VIOLATION OCCURRED, OR BOTH.

(4) THE PROVISIONS OF THIS SUBSECTION DO NOT APPLY TO:

(I) THE HOLDER OF AN ALCOHOLIC BEVERAGES LICENSE THAT OFFERED ADULT ENTERTAINMENT ON LICENSED PREMISES FOR AT LEAST 5 CALENDAR DAYS BETWEEN MARCH 8, 1996 AND APRIL 8, 1996; OR

(II) A TRANSFEREE OF AN ALCOHOLIC BEVERAGES LICENSE FROM A HOLDER DESCRIBED IN ITEM (I) OF THIS PARAGRAPH AS LONG AS THE TRANSFEREE CONTINUES TO OFFER ADULT ENTERTAINMENT ON THE SAME LICENSED PREMISES.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act ~~shall be construed retroactively and shall be applied to licensees or licensed premises who, on July 1, 1996, both were providing adult entertainment performances and were less than 1,000 feet, from closest point to closest point, from a dwelling, church, park, child care center, or school~~ may not be construed to affect any current rules or regulations of the Board of License Commissioners for Baltimore County or affect the authority of the Board to adopt rules or regulations concerning prohibited practices for holders of alcoholic beverages licenses.

SECTION 3. AND BE IT FURTHER ENACTED, That if any provision of this Act or the application thereof to any person or circumstance is held to be invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Act which can be given effect without the invalid provision or application, and for this purpose the provisions of this Act are declared severable.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health and safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved April 29, 1997.

CHAPTER 191

(Senate Bill 621)

AN ACT concerning

Creation of a State Debt – Howard County General Hospital

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Directors of Howard County General Hospital, Inc. for certain acquisition, development, or improvement purposes;