

prohibiting the transfer of the license to another location; defining certain terms; and generally relating to special theater alcoholic beverages licenses in Montgomery County.

BY adding to

Article 2B - Alcoholic Beverages

Section 8-216.1

Annotated Code of Maryland

(1998 Replacement Volume and 1998 Supplement)

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

Article 2B - Alcoholic Beverages

8-216.1.

(A) THERE IS A SPECIAL THEATER LICENSE.

(B) (1) IN THIS SECTION; THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "BOARD" MEANS THE MONTGOMERY COUNTY BOARD OF LICENSE COMMISSIONERS.

(3) "MOVIE THEATER" MEANS A BUILDING DESIGNED OR USED PRIMARILY FOR THE EXHIBITION OF MOTION PICTURES TO THE GENERAL PUBLIC.

(4) (I) "PERFORMING ARTS THEATER" MEANS THOSE AREAS, BUILDINGS, OR STRUCTURES DESIGNED AND USED FOR PLAYS, ACTS, DRAMAS, OR HISTRIONICS BY ACTORS OR ACTRESSES PERFORMING ON A STAGE.

(II) "PERFORMING ARTS THEATER" DOES NOT INCLUDE EITHER THE SHOWING OR EXHIBITION OF MOTION PICTURES OR A BUILDING OR AMPHITHEATER THAT IS PART OF A SPORTS COMPLEX REGULARLY USED BY MINORS.

(C) ~~THE BOARD MAY ISSUE A SPECIAL THEATER (ON-SALE) BEER, WINE AND LIQUOR LICENSE FOR USE IN A THEATER IF THE THEATER:~~

~~(1) IS A BUILDING THAT HAS A CAPACITY TO HOLD A MINIMUM OF 400 PERMANENTLY INSTALLED SEATS AND REGULARLY PRESENTS LIVE ENTERTAINMENT; OR~~

~~(2) IS AN OUTDOOR AMPHITHEATER THAT HAS A CAPACITY TO HOLD A MINIMUM OF 400 PERMANENT OR TEMPORARY SEATS AND SEASONALLY PRESENTS LIVE ENTERTAINMENT~~ BEER AND WINE LICENSE FOR USE ON THE PREMISES OF:

(1) A PERFORMING ARTS THEATER; OR

(2) A MOVIE THEATER OPERATED BY A BONA FIDE NONPROFIT ORGANIZATION.