

BY adding to

Article 2B – Alcoholic Beverages

Section 6–201(p)(4)

Annotated Code of Maryland

(2001 Replacement Volume and 2002 Supplement)

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

**Article 2B – Alcoholic Beverages**

6–201.

(p) (1) (i) This subsection applies only in Kent County.

(ii) In this subsection, “Board” means the Board of License Commissioners.

(2) (i) The Board may issue a Class B beer, wine and liquor license for use in a restaurant.

(ii) To qualify for licensure under this subsection, the restaurant shall:

1. Be fully equipped with a proper and adequate dining room;

2. Have sufficient facilities for preparing and serving meals to the public; and

3. Be approved by the Board.

(iii) When operating under this license, a holder’s average daily receipts from the sale of food shall comprise at least 60 percent of the average daily receipts of the business.

(4) (I) THE BOARD MAY ISSUE A SPECIAL MARYLAND WINE LICENSE PRIVILEGE.

(II) TO QUALIFY FOR A SPECIAL MARYLAND WINE LICENSE PRIVILEGE, AN APPLICANT SHALL BE A HOLDER OF A CLASS B (ON-SALE) BEER AND WINE LICENSE OR BEER, WINE AND LIQUOR LICENSE FOR USE ON A PREMISES THAT QUALIFIES AS A RESTAURANT UNDER PARAGRAPH (2)(II) OF THIS SUBSECTION.

(III) A SPECIAL MARYLAND WINE LICENSE PRIVILEGE AUTHORIZES THE HOLDER TO SELL WINE ~~FROM A CLASS 4 WINERY~~ BY THE BOTTLE FOR OFF-SALE WITHOUT THE COST OF THE WINE COUNTING AS A PART OF THE AVERAGE DAILY RECEIPTS OF THE BUSINESS REQUIRED TO MEET THE MINIMUM 60 PERCENT FOOD SALES REQUIREMENT UNDER PARAGRAPH (2)(III) OF THIS SUBSECTION.

(IV) THE ANNUAL FEE FOR THE SPECIAL MARYLAND WINE LICENSE PRIVILEGE IS \$100.