

CHAPTER 560

(House Bill 427)

AN ACT concerning

Local Alcoholic Beverages Licensing Boards – Appeals

FOR the purpose of repealing certain provisions of law that provide for the automatic affirmation of a decision of a local alcoholic beverages licensing board when a circuit court fails to make a determination of an appeal within a certain period of time; requiring a local board's decision to be affirmed, modified, or reversed by the court within a certain period of time; and generally relating to appeals of decisions ~~by~~ of the local alcoholic beverages licensing boards.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 175(e)(3) and (4)

Annotated Code of Maryland

(1990 Replacement Volume)

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

Article 2B – Alcoholic Beverages

175.

(e) (3) ~~{Unless extended by the court for good cause, the local board's decision made under subsection (a) of this section is automatically affirmed if the court fails to determine an appeal~~ SHALL BE AFFIRMED, MODIFIED, OR REVERSED BY THE COURT within:

~~(i) Except in Allegany County, 30 days after the record has been filed in the court by the local board; and~~

~~(ii) In Allegany County, 90 days after the record has been filed in the court by the local board.~~

(4) ~~{~~ (i) If the court reverses the action of the local board it shall file with the papers a written statement of the reasons. The court may modify, as well as affirm or reverse, the action of the local board. Costs shall be awarded as in other civil cases.

(ii) In addition to the other powers of the court provided in this article, the court may remand the proceedings to the local board in the following counties:

- [(A)]1. Carroll County;
- [(B)]2. Charles County;
- [(C)]3. Howard County;