

# SENATE BILL 307

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EMERGENCY BILL

3lr1178

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By: **Senator McFadden**

Introduced and read first time: January 23, 2013

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Alcoholic Beverages Act of 2013**

3 FOR the purpose of altering certain fees for certain holders of alcoholic beverages  
4 licenses in Baltimore City; requiring certain holders of certain licenses in  
5 Baltimore City to pay a certain fee each year if they provide live entertainment  
6 or outdoor table or cafe service; requiring a certain license application to contain  
7 a certain statement concerning the citizenship of the applicant or certain  
8 information or documentation to show proof of alien status; requiring the  
9 Baltimore City Board of Liquor License Commissioners to expend a certain  
10 amount of money each year from certain fines for performing underage  
11 compliance checks; requiring certain part-time inspectors to serve for a  
12 2-year term; requiring the Board to employ a certain number of full-time  
13 inspectors; authorizing the Board to assess a fee for the production and service  
14 of summonses and hearing notices and certain administrative hearing fees for a  
15 licensee who appears for an administrative conference; authorizing the Board to  
16 impose a certain fine for violations relating to sales to individuals under the  
17 drinking age or administrative violations in lieu of a public hearing or a license  
18 suspension under certain circumstances; making this Act an emergency  
19 measure; and generally relating to alcoholic beverages licenses in Baltimore  
20 City.

21 BY repealing and reenacting, without amendments,

22 Article 2B – Alcoholic Beverages

23 Section 5-101(a), 5-201(a), 5-301(a), 5-401(a), 6-101(a)(1), 6-102(b),  
24 6-201(a)(1) and (2) and (d)(3)(i) and (ii), 6-301(a)(1),  
25 6-401(a)(1), 7-101(b)(1)(i) and (d)(1)(i), 8-203(d)(1), 8-508(b),  
26 15-112(d)(1) and (11)(i), and 16-410(e)(1)

27 Annotated Code of Maryland

28 (2011 Replacement Volume and 2012 Supplement)

29 BY repealing and reenacting, with amendments,

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article 2B – Alcoholic Beverages

2 Section 5–101(d), 5–201(d), 5–301(d), 5–401(d), 6–101(d), 6–102(d), 6–201(d)(1),  
 3 (2), and (3)(viii), 6–301(d), 6–401(d), 7–101(b)(3) and (d)(3), 8–203(d)(7),  
 4 8–508(c), 10–103(b)(3–a)(i), 10–204(d), 15–112(d)(9) and (11)(ii),  
 5 16–410(e)(3), and 16–507(d)

6 Annotated Code of Maryland

7 (2011 Replacement Volume and 2012 Supplement)

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

10 **Article 2B – Alcoholic Beverages**

11 5–101.

12 (a) (1) A Class A beer and light wine license shall be issued by the license  
 13 issuing authority of the county in which the place of business is located. The holder of  
 14 the license may keep for sale and sell beer and light wines at retail, in any quantity to  
 15 any consumers, at the place described in the license. The holder shall deliver the beer  
 16 and light wines in a sealed package or container, which package or container may not  
 17 be opened nor its contents consumed on the premises where sold.

18 (2) The annual fee for the license shall be paid to the local collecting  
 19 agent before any license is issued, for distribution as provided.

20 (d) In Baltimore City the annual license fee is **[\$110] \$132**.

21 5–201.

22 (a) (1) A Class B beer and light wine license shall be issued by the license  
 23 issuing authority of the county in which the place of business is located. The holder  
 24 may keep for sale and sell beer and light wines at retail at any hotel or restaurant, at  
 25 the place described in the license, for consumption on the premises or elsewhere.

26 (2) The annual fee shall be paid to the local collecting agent before any  
 27 license is issued.

28 (d) **(1)** In Baltimore City the annual license fee is **[\$165] \$198**.

29 **(2) THE HOLDER OF A LICENSE ISSUED UNDER THIS SUBSECTION**  
 30 **SHALL PAY AN ADDITIONAL ANNUAL FEE OF:**

31 **(i) \$500, IF THE HOLDER PROVIDES LIVE ENTERTAINMENT;**  
 32 **AND**

1                                   **(II) \$200, IF THE HOLDER PROVIDES OUTDOOR TABLE OR**  
2 **CAFE SERVICE.**

3 5–301.

4           (a)   (1)   Except as provided in subsection (n) of this section, a Class C beer  
5 and light wine license shall be issued by the license issuing authority of the county in  
6 which the place of business is located. The holder of the license may keep for sale and  
7 sell beer and light wines at retail to bona fide members and their guests, at any club,  
8 at the place described in the license, for consumption on the premises only.

9                           (2)   The annual fee for the license shall be paid to the local collecting  
10 agent before any license is issued, for distribution as provided.

11           (d)   In Baltimore City the annual license fee is [~~\$82.50~~] **\$99.**

12 5–401.

13           (a)   (1)   A Class D beer and light wine license shall be issued by the license  
14 issuing authority of the county in which the place of business is located. The license  
15 authorizes its holder to keep for sale and to sell beer and light wines at retail, at the  
16 place described in the license, for consumption on the premises or elsewhere. The  
17 license may not be issued for any drugstore.

18                           (2)   The annual fee shall be paid to the local collecting agent before any  
19 license is issued, for distribution as provided in this article.

20           (d)   **(1)**   In Baltimore City the annual license fee is [~~\$165~~] **\$198.**

21                           **(2)   A HOLDER OF A LICENSE ISSUED UNDER THIS SUBSECTION**  
22 **SHALL PAY AN ADDITIONAL ANNUAL FEE OF:**

23                                   **(I)   \$500, IF THE HOLDER PROVIDES LIVE ENTERTAINMENT;**  
24 **AND**

25                                   **(II)   \$200, IF THE HOLDER PROVIDES OUTDOOR TABLE OR**  
26 **CAFE SERVICE.**

27 6–101.

28           (a)   (1)   A Class A beer, wine and liquor license shall be issued by the  
29 license issuing authority of the county in which the place of business is located. The  
30 license authorizes the holder to keep for sale and to sell all alcoholic beverages at  
31 retail, in any quantity, at the place described in the license. The licensee shall deliver  
32 the alcoholic beverages in a sealed package or container and the package or container  
33 may not be opened nor its contents consumed on the premises where sold.

1 (d) In Baltimore City the annual license fee is [~~\$858~~] **\$1,030**.

2 6-102.

3 (b) The Board of License Commissioners may renew a Class B-D-7 beer,  
4 wine and liquor license that is expiring and reissue it as a Class A-2 beer, wine and  
5 liquor off-sale only package goods license as provided in § 8-203(d) of this article.

6 (d) The annual license fee is [~~\$858~~] **\$1,030**.

7 6-201.

8 (a) (1) A Class B beer, wine and liquor license shall be issued by the  
9 license issuing authority of the county in which the place of business is located, and  
10 the license authorizes its holder to keep for sale and sell all alcoholic beverages at  
11 retail at any hotel or restaurant at the place described, for consumption on the  
12 premises or elsewhere, or as provided in this section.

13 (2) The annual fee for this license is payable to the local collecting  
14 agent before any license is issued, for distribution as provided in this article.

15 (d) (1) (i) This subsection applies only in Baltimore City.

16 (ii) Except as otherwise provided by this subsection, the annual  
17 license fee is:

18 1. [~~\$1,320~~] **\$1,716** for a licensed establishment with a  
19 seating capacity of 200 or fewer, **NOT INCLUDING SEATS AT A BAR, COUNTER, OR**  
20 **AT OUTDOOR TABLES**; and

21 2. [~~\$1,800~~] **\$3,000** for a licensed establishment with a  
22 seating capacity of more than 200, **NOT INCLUDING SEATS AT A BAR, COUNTER, OR**  
23 **AT OUTDOOR TABLES**.

24 **(III) A HOLDER OF A LICENSE ISSUED UNDER THIS**  
25 **SUBSECTION SHALL PAY AN ADDITIONAL ANNUAL FEE OF:**

26 1. **\$500, IF THE HOLDER PROVIDES LIVE**  
27 **ENTERTAINMENT; AND**

28 2. **\$200, IF THE HOLDER PROVIDES OUTDOOR TABLE**  
29 **OR CAFE SERVICE.**

30 [(iii)] **(IV)** In this paragraph "46th Alcoholic Beverages District"  
31 means an area that at all times shall be coterminous with the 46th Legislative District

1 in the Legislative Districting Plan of 2002 as ordered by the Maryland Court of  
2 Appeals on June 21, 2002.

3 **[(iv)] (v)** Except for the 46th Alcoholic Beverages District, this  
4 license shall be issued in accordance with the provisions of subsection (a) of this  
5 section.

6 **[(v)] (VI)** 1. Except as provided in subsubparagraph 2 of  
7 this subparagraph, in an area coterminous with the 47th Alcoholic Beverages District  
8 as that district existed before the Legislative Districting Plan was ordered by the  
9 Maryland Court of Appeals on June 21, 2002, a Class B beer, wine and liquor license  
10 issued for use in a restaurant:

11 A. After July 1, 1991 may not include an off-sale  
12 alcoholic beverages privilege;

13 B. Before July 1, 1991 with an on-sale alcoholic  
14 beverages privilege only may not be changed or altered to include an off-sale alcoholic  
15 beverages privilege;

16 C. Before July 1, 1991 with both on- and off-sale  
17 alcoholic beverages privileges may continue to be sold, renewed, or transferred within  
18 the 47th Alcoholic Beverages District with both privileges; and

19 D. Except as provided in subparagraph (vi) of this  
20 paragraph, before July 1, 1991 may not include an off-sale privilege for sales of  
21 alcoholic beverages from 12 midnight on Saturday to 2 a.m. on Monday.

22 2. A license specified under subsubparagraph 1 of this  
23 subparagraph may include an off-sale privilege for sales of refillable containers under  
24 a refillable container license issued in accordance with § 8-203(e) of this article.

25 **[(vi)] (VII)** The sales prohibition in subparagraph **[(v)1D] (VI)1D**  
26 of this paragraph does not apply to a Class B beer, wine and liquor licensee:

27 1. Whose license was issued before July 1, 1991; and

28 2. Who prior to July 1, 1991 operated the premises and  
29 exercised the sales privileges under the license on Sundays.

30 **[(vii)] (VIII)** In addition to the other requirements provided for in  
31 this subsection, in the 46th Alcoholic Beverages District the restaurant shall have a  
32 minimum:

33 1. Except as provided in subparagraph **[(ix)] (X)** of this  
34 paragraph, capital investment of \$500,000 for restaurant facilities not including the

1 cost of the land, the building, or improvements that are not to the interior of a building  
2 on the licensed premises; and

3                   2. Seating capacity of 75 persons, and, except as  
4 provided in subparagraph [(ix)] (X) of this paragraph, a maximum seating capacity of  
5 150 persons.

6                   [(viii)] (IX) 1. Notwithstanding § 1-102(a)(22)(i)3 of this  
7 article and, except as provided in subparagraph [(ix)] (X) of this paragraph, for a  
8 licensee who is issued a Class B beer, wine and liquor license for use in a restaurant in  
9 the 46th Alcoholic Beverages District, the average daily receipts from the sale of food  
10 must be at least 51% of the total daily receipts of the restaurant.

11                   2. A licensee annually, at the time the license is  
12 renewed, shall file with the Board of Liquor License Commissioners for Baltimore City  
13 a statement of average daily receipts and an affidavit of a licensed certified public  
14 accountant that verify that the licensee has met the requirement of sub-subparagraph  
15 1 of this subparagraph or subparagraph [(ix)] (X) of this paragraph.

16                   3. A license may not be transferred from the location of  
17 its first issuance.

18                   4. A license may not be issued for use in an  
19 establishment that is a fast food style restaurant.

20                   [(ix)] (X) The Board of Liquor License Commissioners for  
21 Baltimore City may issue a Class B beer, wine and liquor license for use in a  
22 restaurant that has a seating capacity exceeding 150 persons if the restaurant:

23                   1. Is located in ward 26, precinct 8, ward 4, precinct 1, or  
24 ward 3, precinct 3 of the 46th Alcoholic Beverages District, which at all times shall be  
25 coterminous with the 46th Legislative District in the Legislative Districting Plan of  
26 2002 as ordered by the Maryland Court of Appeals on June 21, 2002;

27                   2. Has a minimum capital investment of \$700,000; and

28                   3. Has average daily receipts from the sale of food that  
29 are at least 65% of the total daily receipts.

30                   [(x)] (XI) Until July 1, 2005, the Board of Liquor License  
31 Commissioners for Baltimore City may issue a Class B beer, wine and liquor license  
32 for use in a restaurant that has a seating capacity exceeding 150 persons if the  
33 restaurant:

34                   1. Is an establishment located in an area identified in §  
35 9-204(e)(1) of this article;

1    2.     Has a minimum capital investment of \$1,000,000; and

2    3.     Has average daily receipts from the sale of food that  
3 are at least 70% of the total daily receipts.

4    [(xi)] **(XII)** Notwithstanding any restriction or requirement in  
5 this article regarding the issuance of Class B beer, wine and liquor licenses, a not for  
6 profit arts center in the Highlandtown arts and entertainment district that holds a  
7 Class C license on June 1, 2004, may apply to the Board of Liquor License  
8 Commissioners for Baltimore City to convert that license into a Class B beer, wine and  
9 liquor license.

10                                        (2)    (i)     There is a Class B–BWL (H–M) license.

11    (ii)    The Class B–BWL (H–M) license shall be issued to any hotel  
12 or motel meeting the minimum criteria of subparagraph [(iv)] **(V)** of this paragraph.

13    (iii)    The annual license fee is ~~[\$6,500]~~ **\$7,800**.

14    **(IV) A HOLDER OF A LICENSE ISSUED UNDER THIS**  
15 **PARAGRAPH SHALL PAY AN ADDITIONAL ANNUAL FEE OF:**

16    1.     **\$500, IF THE HOLDER PROVIDES LIVE**  
17 **ENTERTAINMENT; AND**

18    2.     **\$200, IF THE HOLDER PROVIDES OUTDOOR TABLE**  
19 **OR CAFE SERVICE.**

20    [(iv)] **(V)** The minimum criteria for the issuance of a Class  
21 B–BWL (H–M) license are as follows:

22    1.     The hotel or motel shall contain no less than 100  
23 rooms for the accommodation of the public;

24    2.     The hotel or motel shall contain a dining room with  
25 facilities for preparing and serving regular meals for at least 125 persons at one  
26 seating; and

27    3.     The capital investment in the hotel or motel facility  
28 may not be less than \$500,000.

29    [(v)] **(VI)** A Class B–BWL (H–M) license may not be required of  
30 any restaurant that is not located in a hotel or motel or of any catering establishment.

1                   (3)   (i)   1.   In this paragraph the following words have the  
2 meanings indicated.

3                                   2.   “Arena” means a facility that is a:

4                                   A.   Catering hall;

5                                   B.   Banquet hall;

6                                   C.   Auditorium;

7                                   D.   Theatre;

8                                   E.   Athletic facility;

9                                   F.   Concert facility; or

10                                  G.   Stadium.

11                                  3.   “Board” means the Board of License Commissioners.

12                                  4.   “Person” means a natural person, an association, a  
13 firm, a partnership, a corporation, or the Mayor and City Council of Baltimore.

14                                  (ii)   There is an arena license.

15                                  (viii) The annual license fee for the arena license is **[\$12,000]**  
16 **\$14,400.**

17 6–301.

18           (a)   (1)   Except as provided in subsection (n) of this section, a Class C beer,  
19 wine and liquor license shall be issued by the license issuing authority of the county in  
20 which the place of business is located. It authorizes the holder to keep for sale and sell  
21 all alcoholic beverages at retail at any club, at the place described in the license, for  
22 consumption on the premises only.

23           (d)   In Baltimore City the annual license fee is **[\$550] \$660.**

24 6–401.

25           (a)   (1)   A Class D beer, wine and liquor license shall be issued by the  
26 license issuing authority of the county in which the place of business is located. It  
27 authorizes the holder to keep for sale and sell all alcoholic beverages at retail at the  
28 place described in it, for consumption on the premises or elsewhere. A license may not  
29 be issued for any drugstore.



1 (d) (1) Subject to § 11-503(b)(2) of this article, in Baltimore City the  
2 annual license fee is [~~\$825~~] **\$990**.

3 (2) A HOLDER OF A LICENSE ISSUED UNDER THIS SUBSECTION  
4 SHALL PAY AN ADDITIONAL ANNUAL FEE OF:

5 (I) **\$500, IF THE HOLDER PROVIDES LIVE ENTERTAINMENT;**  
6 AND

7 (II) **\$200, IF THE HOLDER PROVIDES OUTDOOR TABLE OR**  
8 **CAFE SERVICE.**

9 [(2)] (3) In Baltimore City, the hours and days for sale for the license  
10 are as provided under § 11-503 of this article.

11 7-101.

12 (b) (1) (i) Subject to subsection (a) of this section, a special Class C  
13 beer license or a special Class C beer and wine license entitles the holder to exercise  
14 any of the privileges conferred by the respective classes of licenses for the use of any  
15 person holding any bona fide entertainment conducted by any club, society or  
16 association at the place described in the license, for a period not exceeding seven  
17 consecutive days from the effective date thereof.

18 (3) In Baltimore City:

19 (I) 1. FOR AN ESTABLISHMENT WITH A MAXIMUM  
20 OVERALL CAPACITY OF **200** INDIVIDUALS, AS DETERMINED BY THE **BALTIMORE**  
21 **CITY FIRE DEPARTMENT**, the fee is \$25 per day; AND

22 2. THE BOARD OF LIQUOR LICENSE  
23 COMMISSIONERS SHALL BE REIMBURSED FOR COSTS INCURRED WHILE THE  
24 BOARD MONITORS THE EVENT FOR WHICH THE LICENSE IS ISSUED;

25 (II) 1. FOR AN ESTABLISHMENT WITH A MINIMUM  
26 OVERALL CAPACITY OF **201** INDIVIDUALS AND A MAXIMUM OVERALL CAPACITY  
27 OF **500** INDIVIDUALS, AS DETERMINED BY THE **BALTIMORE CITY FIRE**  
28 **DEPARTMENT**, THE FEE IS **\$150 PER DAY**; AND

29 2. THE BOARD OF LIQUOR LICENSE  
30 COMMISSIONERS SHALL BE REIMBURSED FOR COSTS INCURRED WHILE THE  
31 BOARD MONITORS THE EVENT FOR WHICH THE LICENSE IS ISSUED;

1                   **(III) FOR AN ESTABLISHMENT WITH A MINIMUM OVERALL**  
2 **CAPACITY OF 501 INDIVIDUALS AND A MAXIMUM OVERALL CAPACITY OF 1,000**  
3 **INDIVIDUALS, AS DETERMINED BY THE BALTIMORE CITY FIRE DEPARTMENT,**  
4 **THE FEE IS \$300 PER DAY;**

5                   **(IV) FOR AN ESTABLISHMENT WITH A MINIMUM OVERALL**  
6 **CAPACITY OF 1,001 INDIVIDUALS AND A MAXIMUM OVERALL CAPACITY OF 5,000**  
7 **INDIVIDUALS, AS DETERMINED BY THE BALTIMORE CITY FIRE DEPARTMENT,**  
8 **THE FEE IS \$500 PER DAY; AND**

9                   **(V) FOR AN ESTABLISHMENT WITH AN OVERALL CAPACITY**  
10 **OF 5,001 INDIVIDUALS OR MORE, AS DETERMINED BY THE BALTIMORE CITY**  
11 **FIRE DEPARTMENT, THE FEE IS \$1,000 PER DAY.**

12           (d)   (1)   (i)   A special Class C beer, wine and liquor license entitles the  
13 holder to exercise any of the privileges conferred by this class of license for the use of  
14 any person holding a bona fide entertainment conducted by a club, society, or  
15 association at the place described for a period not exceeding seven consecutive days,  
16 upon the payment of a fee of \$15 per day.

17                   (3)   In Baltimore City:

18                   (i)   The holder of a Class C special beer, wine and liquor license  
19 may purchase beer and light wine from a wholesale dealer.

20                   (ii)   1.   **[The] FOR AN ESTABLISHMENT WITH A MAXIMUM**  
21 **OVERALL CAPACITY OF 200 INDIVIDUALS, AS DETERMINED BY THE BALTIMORE**  
22 **CITY FIRE DEPARTMENT, THE Board of Liquor License Commissioners may collect**  
23 **from the holder of the Class C special beer, wine and liquor license[:**  
24

25                                   1.]A license fee of \$50 per day; [and]

26                                   2.   **[Reimbursement] THE BOARD OF LIQUOR**  
27 **LICENSE COMMISSIONERS SHALL BE REIMBURSED** for costs incurred while  
28 **[monitoring] THE BOARD MONITORS** the event for which the license is issued;

29                                   3.   **FOR AN ESTABLISHMENT WITH A MINIMUM**  
30 **OVERALL CAPACITY OF 201 INDIVIDUALS AND A MAXIMUM OVERALL CAPACITY**  
31 **OF 500 INDIVIDUALS, AS DETERMINED BY THE BALTIMORE CITY FIRE**  
32 **DEPARTMENT, THE FEE IS \$150 PER DAY, AND THE BOARD OF LIQUOR LICENSE**  
33 **COMMISSIONERS SHALL BE REIMBURSED FOR COSTS INCURRED WHILE THE**  
34 **BOARD MONITORS THE EVENT FOR WHICH THE LICENSE IS ISSUED;**

1                   4.    FOR AN ESTABLISHMENT WITH A MINIMUM  
2 OVERALL CAPACITY OF **501** INDIVIDUALS AND A MAXIMUM OVERALL CAPACITY  
3 OF **1,000** INDIVIDUALS, AS DETERMINED BY THE BALTIMORE CITY FIRE  
4 DEPARTMENT, THE FEE IS **\$300** PER DAY;

5                   5.    FOR AN ESTABLISHMENT WITH A MINIMUM  
6 OVERALL CAPACITY OF **1,001** INDIVIDUALS AND A MAXIMUM OVERALL  
7 CAPACITY OF **5,000** INDIVIDUALS, AS DETERMINED BY THE BALTIMORE CITY  
8 FIRE DEPARTMENT, THE FEE IS **\$500** PER DAY; AND

9                   6.    FOR AN ESTABLISHMENT WITH AN OVERALL  
10 CAPACITY OF **5,001** INDIVIDUALS OR MORE, AS DETERMINED BY THE  
11 BALTIMORE CITY FIRE DEPARTMENT, THE FEE IS **\$1,000** PER DAY.

12 8-203.

13           (d)   (1)   There is a Class B-D-7 license.

14                   (7)   (I)   All such licenses shall be issued by the Board of Liquor  
15 License Commissioners upon certification of the Board.

16                           (II) [The] FOR AN ESTABLISHMENT WITH A MAXIMUM  
17 OVERALL CAPACITY OF **200** INDIVIDUALS, AS DETERMINED BY THE BALTIMORE  
18 CITY FIRE DEPARTMENT, THE annual license fee is [~~\$1,320~~] **\$1,716**.

19                           (III) FOR AN ESTABLISHMENT WITH AN OVERALL OVERALL  
20 CAPACITY OF **201** INDIVIDUALS OR MORE, AS DETERMINED BY THE BALTIMORE  
21 CITY FIRE DEPARTMENT, THE ANNUAL LICENSE FEE IS **\$3,000**.

22 8-508.

23           (b)   (1)   The Board of Liquor License Commissioners for Baltimore City  
24 may issue a special Class M-G beer, wine and liquor license for use at a municipal golf  
25 course.

26                   (2)   The Class M-G license may be issued to a golf course manager.

27           (c)   The annual license fee is [~~\$600~~] **\$720**.

28 10-103.

29           (b)   Except as otherwise provided in this subtitle, every new application for a  
30 license shall be made to the Board of License Commissioners on forms prescribed by  
31 the Comptroller and sworn to by the applicant. Every application for a license shall  
32 contain the following:

1           (3-a) (i) In **BALTIMORE CITY**, Baltimore County, and Howard  
2 County, a statement whether the applicant is a natural-born citizen or a naturalized  
3 citizen and, if the applicant is not a natural-born citizen or a naturalized citizen,  
4 information or documentation required by the **BOARD OF LIQUOR LICENSE**  
5 **COMMISSIONERS OF BALTIMORE CITY**, THE Baltimore County Board of Liquor  
6 License Commissioners, or the Board of License Commissioners of Howard County to  
7 show proof of alien status.

8 10-204.

9           (d) **(1)** In Baltimore City the Mayor and City Council of Baltimore shall  
10 pay from the receipts the salaries and expenses of the Board of **LIQUOR** License  
11 Commissioners of Baltimore City and its employees, as approved by the State  
12 Comptroller.

13           **(2) THE BOARD OF LIQUOR LICENSE COMMISSIONERS OF**  
14 **BALTIMORE CITY SHALL EXPEND \$50,000 EACH YEAR FROM THE FINES**  
15 **COLLECTED BY THE BOARD FOR THE PURPOSE OF PERFORMING UNDERAGE**  
16 **COMPLIANCE CHECKS.**

17 15-112.

18           (d) (1) This subsection applies only in Baltimore City.

19           (9) The Board shall:

20                   (i) Employ 12 permanent part-time inspectors; [and]

21                   (ii) Set the annual salary for permanent part-time inspectors at  
22 not less than \$3,600; AND

23                   **(III) REQUIRE PERMANENT PART-TIME INSPECTORS TO**  
24 **SERVE FOR A 2-YEAR TERM.**

25           (11) (i) 1. In this paragraph, "inspectors" means full-time  
26 inspectors who are employees of the Board. "Inspectors" does not include an inspector  
27 supervisor or assistant inspector supervisor.

28                   2. Inspectors who were appointed prior to October 1,  
29 1997, shall continue their appointment after that date unless removed in accordance  
30 with classified civil service procedures.

31                   (ii) As of October 1, 1997:

1                   1.     Inspectors are part of the classified civil service of the  
2 City;

3                   2.     The Board may appoint and remove inspectors only in  
4 accordance with the provisions of law that govern classified civil service employees of  
5 the City;

6                   3.     An employee of the Board may not solicit or receive,  
7 directly or indirectly or on behalf of another person, a commission, political  
8 contribution, remuneration, or gift from:

9                   A.     A licensee or other person who is engaged in the  
10 manufacture or sale of alcoholic beverages; or

11                   B.     An agent or employee of a licensee or other person  
12 who is engaged in the manufacture or sale of alcoholic beverages; and

13                   4.     An employee or other person specified in  
14 sub-subparagraph 3 of this subparagraph who violates the provisions of that  
15 sub-subparagraph is subject to the penalties specified in § 16-503 of this article.

16                   **5.     THE BOARD SHALL EMPLOY 18 FULL-TIME**  
17 **INSPECTORS.**

18 16-410.

19           (e)     (1)     This subsection applies only in Baltimore City.

20                   (3)     In addition to any other fines, penalties, or costs that may be  
21 imposed by the Board, the Board may assess the fee for the production and service of  
22 summonses and hearing notices and a \$100 administrative hearing fee for any licensee  
23 [whom]:

24                   **(I)     WHOM** the Board is charging with violation of any law,  
25 statute, rule, or regulation concerning the sale of alcoholic beverages [or who];

26                   **(II)    WHO** is requesting a transfer, expansion, or new license; **OR**

27                   **(III)   WHO APPEARS FOR AN ADMINISTRATIVE CONFERENCE.**

28 16-507.

29           (d)     **(1)**     For any violation that is cause for suspension under the alcoholic  
30 beverage laws affecting Baltimore City, the Baltimore City Board of **LIQUOR** License  
31 Commissioners may:

1            **[(1)] (I)** For a first offense, impose a fine of not more than \$500 or  
2 suspend the license or both; or

3            **[(2)] (II)** For any subsequent offense, impose a fine of not more than  
4 \$3,000 or suspend the license or both.

5            **(2) FOR ANY VIOLATION RELATING TO A SALE TO AN INDIVIDUAL**  
6 **UNDER 21 YEARS OF AGE THAT IS A FIRST OFFENSE OR FOR ANY**  
7 **ADMINISTRATIVE VIOLATION, THE BALTIMORE CITY BOARD OF LIQUOR**  
8 **LICENSE COMMISSIONERS MAY IMPOSE A FINE OF NOT MORE THAN \$500**  
9 **INSTEAD OF A PUBLIC HEARING OR A SUSPENSION OF THE LICENSE, PROVIDED**  
10 **THAT:**

11            **(I) THE PUBLIC WELFARE HAS NOT BEEN COMPROMISED**  
12 **BY THE VIOLATION; AND**

13            **(II) THE PAYMENT OF THE FINE WILL ACHIEVE THE**  
14 **DESIRED DISCIPLINARY PURPOSE.**

15            SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency  
16 measure, is necessary for the immediate preservation of the public health or safety,  
17 has been passed by a yea and nay vote supported by three-fifths of all the members  
18 elected to each of the two Houses of the General Assembly, and shall take effect from  
19 the date it is enacted.