

Bill No.: _____

Requested: _____

Committee: _____

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By: **Prince George’s County Delegation**

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George’s County – Alcoholic Beverages – Family Entertainment Permit**

3 **PG 301–19**

4 FOR the purpose of repealing exceptions to the entertainment permit in Prince George’s
5 County; establishing a family entertainment permit in the county; establishing
6 requirements that an alcoholic beverages license holder whose business provides
7 family entertainment must meet to obtain a family entertainment permit; requiring
8 the Board of License Commissioners to determine the days and hours the permit is
9 to be in effect, subject to a certain restriction; requiring the Board to adopt certain
10 regulations; establishing a certain fee for the permit; and generally relating to
11 entertainment permits in Prince George’s County.

12 BY repealing and reenacting, without amendments,

13 Article – Alcoholic Beverages
14 Section 26–102 and 26–1103(b)
15 Annotated Code of Maryland
16 (2016 Volume and 2018 Supplement)

17 BY repealing and reenacting, with amendments,

18 Article – Alcoholic Beverages
19 Section 26–1103(a)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2016 Volume and 2018 Supplement)

3 BY adding to
4 Article – Alcoholic Beverages
5 Section 26–1103.1
6 Annotated Code of Maryland
7 (2016 Volume and 2018 Supplement)

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

10 **Article – Alcoholic Beverages**

11 26–102.

12 This title applies only in Prince George’s County.

13 26–1103.

14 (a) This section does not apply to a license holder that seeks to provide
15 entertainment if:

16 (1) the license of the license holder is issued under § 26–1003, § 26–1006, §
17 26–1008, § 26–1009, § 26–1010, § 26–1011, § 26–1014, § 26–1015, § 26–1016, or § 26–1018.1
18 of this title; **OR**

19 [(2) the Board determines that the license holder’s principal business is to
20 provide family entertainment;

21 (3) the license is a Class B (on–sale) license issued for a restaurant, and
22 the license holder provides entertainment for adults and children that:

23 (i) is ancillary to the operation of the business; and

24 (ii) is not the primary focus of marketing or promotion for the
25 business; or]

1 ~~[(4)] (2)~~ the license is a veterans or fraternal Class C license and the
2 license holder provides entertainment that:

- 3 (i) is under the direct supervision of the license holder;
- 4 (ii) is for adults, children, and families of the organization or the
5 public; and
- 6 (iii) when offered, ends not later than midnight.

7 (b) There is an entertainment permit.

8 **26-1103.1.**

9 **(A) THERE IS A FAMILY ENTERTAINMENT PERMIT.**

10 **(B) THE BOARD MAY ISSUE THE PERMIT TO A HOLDER OF A CLASS B**
11 **(ON-SALE) LICENSE IN ACCORDANCE WITH THIS SECTION IF THE BOARD**
12 **DETERMINES THAT:**

13 **(1) THE LICENSE HOLDER'S BUSINESS PROVIDES FAMILY**
14 **ENTERTAINMENT;**

15 **(2) THE ROOM IN WHICH THE ENTERTAINMENT IS TO BE PROVIDED**
16 **HAS A SEATING CAPACITY OF NOT MORE THAN 110 INDIVIDUALS;**

17 **(3) THE ESTABLISHMENT WILL ALLOW UNDERAGE PERSONS TO VIEW**
18 **THE ENTERTAINMENT AND WILL NOT OFFER ENTERTAINMENT FOR ADULTS ONLY;**

19 **(4) THE AVERAGE DAILY RECEIPTS FROM THE SALE OF FOOD WILL BE**
20 **AT LEAST 60% OF THE TOTAL DAILY RECEIPTS FROM THE SALE OF FOOD AND DRINK**
21 **IN THE ESTABLISHMENT;**

22 **(5) THE ESTABLISHMENT WILL OFFER THE SAME MENU, INCLUDING**
23 **APPETIZERS, MAIN COURSES, AND DESSERTS, THROUGHOUT THE ESTABLISHMENT**
24 **AND DURING THE TIME WHEN THE ENTERTAINMENT IS PROVIDED; AND**

1 **(6) THE PRICES FOR FOOD AND DRINK IN THE ROOM WHERE THE**
2 **ENTERTAINMENT IS TO BE PROVIDED WILL NOT VARY FROM THE PRICES FOR FOOD**
3 **AND DRINK OFFERED ELSEWHERE IN THE ESTABLISHMENT.**

4 **(C) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE PERMIT**
5 **AUTHORIZES THE PERMIT HOLDER TO IMPOSE A COVER CHARGE AND PROVIDE**
6 **ENTERTAINMENT.**

7 **(2) THE PERMIT HOLDER SHALL COMPLY WITH ALL REQUIREMENTS**
8 **UNDER COUNTY LAW, INCLUDING ZONING AND USE AND OCCUPANCY LAWS.**

9 **(D) (1) THE BOARD SHALL DETERMINE:**

10 **(I) THE NUMBER OF DAYS IN A WEEK THAT A PERMIT HOLDER**
11 **MAY EXERCISE THE PRIVILEGES OF THE PERMIT; AND**

12 **(II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**
13 **HOURS THAT THE PERMIT MAY BE IN EFFECT.**

14 **(2) ENTERTAINMENT MAY NOT BE PROVIDED LATER THAN MIDNIGHT.**

15 **(E) THE HOLDER OF THE PERMIT SHALL BE SUBJECT TO § 26-1103(E)**
16 **THROUGH (L) OF THIS SUBTITLE.**

17 **(F) THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.**

18 **(G) THE ANNUAL FEE FOR THE PERMIT IS \$250, WHICH IS IN ADDITION TO**
19 **THE ANNUAL FEE FOR THE CLASS B LICENSE.**

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
21 1, 2019.