

Chapter 278

**(House Bill 797)**

AN ACT concerning

**Alcoholic Beverages – Washington County – Population Ratio Quota**

FOR the purpose of altering the population ratio quota that applies to the issuance of certain alcoholic beverages licenses in Washington County; and generally relating to alcoholic beverages in Washington County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 9–222(b)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2014 Supplement)

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

**Article 2B – Alcoholic Beverages**

9–222.

(b) (1) (i) In this subsection the following words have the meanings indicated.

(ii) “Population ratio quota” means 1 license for each [1,000] **3,000** individuals, excluding individuals detained or confined in a correctional facility as defined under § 1–101(d) of the Correctional Services Article, who reside in the election district where the license will be issued as determined by the last federal population census.

(iii) “Restaurant” means an establishment that:

- 1. Is located in a permanent building;
- 2. Regularly sells and serves food to the general public;
- 3. Has a seating capacity of at least:
  - A. 75 persons for a Class B alcoholic beverages (on–sale)
  - B. 50 persons for a Class P alcoholic beverages (on–sale)

license; or

license; and

4. Has on an annual basis, gross sales of food and nonalcoholic beverages that exceed its annual gross sales of alcoholic beverages.

(2) In Washington County, except for a Class P alcoholic beverages (on-sale) license issued to a restaurant and any class of alcoholic beverages license renewed or transferred for the same premises, an alcoholic beverages license may not be issued within an election district if the number of alcoholic beverages licenses exceeds the population ratio quota.

(3) (i) If the Washington County Board of License Commissioners determines that there is a public need including governmentally sanctioned economic revitalization for the issuance of a license notwithstanding the population ratio quota, the license may be issued by the Board.

(ii) The Board shall state in the order granting the issuance of the license the reasons for its decision to exceed the population ratio quota.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2015.

**Approved by the Governor, May 12, 2015.**