The State of Maryland

Executive Department

# ORDER

OF THE

# GOVERNOR OF THE STATE OF MARYLAND

NUMBER 20-06-11-01

## AUTHORIZING SUSPENSION OF ALCOHOLIC BEVERAGE LICENSE FEES

WHEREAS, A state of emergency and catastrophic health emergency was proclaimed on March 5, 2020, and renewed on March 17, 2020, April 10, 2020, May 6, 2020, and June 3, 2020, to control and prevent the spread of COVID-19 within the state, and the state of emergency and catastrophic health emergency still exists;

WHEREAS, COVID-19, a respiratory disease that spreads easily from person to person and may result in serious illness or death, is a public health catastrophe and has been confirmed throughout Maryland;

WHEREAS, To reduce the spread of COVID-19, the U.S. Centers for Disease Control and Prevention and the Maryland Department of Health recommend canceling large gatherings and social distancing in smaller gatherings;

WHEREAS, The currently known and available scientific evidence and best practices support limitations on large gatherings and social distancing to prevent exposures and transmissions, and reduce the threat to especially vulnerable populations, including older individuals and those with chronic health conditions;

WHEREAS, To facilitate social distancing and/or to comply with emergency legal requirements, it has been necessary for many restaurants, bars, and other alcoholic beverage licensees to modify their operations, by making changes such as limiting capacity or extending table service into public spaces like sidewalks and streets; and

WHEREAS, Such operational modifications may require alcoholic beverage licensees to obtain licenses, permits, modifications, extensions, or other authorizations from their local licensing board, for which alcoholic beverage licensees may be required to fees;

NOW, THEREFORE, I, LAWRENCE J. HOGAN, JR., GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, INCLUDING BUT NOT LIMITED TO TITLE 14 OF THE PUBLIC SAFETY ARTICLE, AND IN AN EFFORT TO CONTROL AND PREVENT THE SPREAD OF COVID-19 WITHIN THE STATE, DO HEREBY ORDER:

I. Delegation of Authority to Suspend Fees. Each local licensing board is hereby authorized to suspend the effect of any statute, rule, or regulation of an agency of the State or a political subdivision for the purpose of waiving, in whole or in part, any fee payable by a license holder; *provided that*:

a. a local licensing board may only suspend statutes, rules, or regulations that are administered or enforced exclusively by that local licensing board;

b. any such suspension shall be effective only in the political subdivision(s) over which the local licensing board has jurisdiction; and

c. any such suspension shall be effective no longer than the duration of the state of emergency and the catastrophic health emergency.

II. General Provisions.

a. As used herein, the terms "local licensing board" and "license holder" have the meanings provided in Section 1-101 of the Alcoholic Beverages article of the Maryland Code.

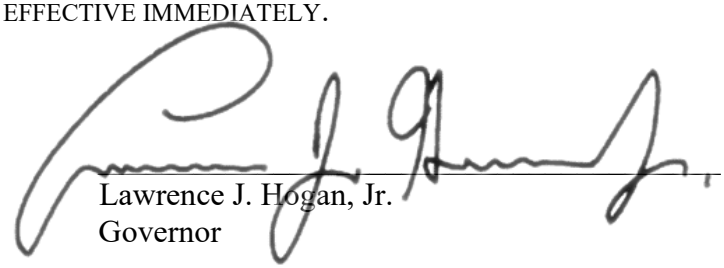
b. This Order remains effective until after termination of the state of emergency and the proclamation of the catastrophic health emergency has been rescinded, or until rescinded, superseded, amended, or revised by additional orders.

c. The effect of any statute, rule, or regulation of an agency of the State or a political subdivision inconsistent with this order is hereby suspended to the extent of the inconsistency.

d. The underlined paragraph headings in this Order are for convenience of reference only and shall not affect the interpretation of this Order.

e. If any provision of this Order or its application to any person, entity, or circumstance is held invalid by any court of competent jurisdiction, all other provisions or applications of the Order shall remain in effect to the extent possible without the invalid provision or application. To achieve this purpose, the provisions of this Order are severable.

ISSUED UNDER MY HAND THIS 11TH DAY OF JUNE, 2020, AND EFFECTIVE IMMEDIATELY.



Lawrence J. Hogan, Jr.
Governor