

CF 6lr1634

By: Delegate Edwards

Introduced and read first time: February 1, 1996

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 12, 1996

CHAPTER ____

1 AN ACT concerning

2 **Garrett County - Alcoholic Beverages**
3 **(Sunday Class B and C Sales)**

4 FOR the purpose of providing for Sunday sales of certain alcoholic beverages in Garrett
5 County; specifying the terms and conditions of the sales; establishing a certain fee;
6 providing for a local referendum and an effective date; making stylistic changes; and
7 generally relating to alcoholic beverages in Garrett County.

8 BY adding to
9 Article 2B - Alcoholic Beverages
10 Section 11-403(a)(7)
11 Annotated Code of Maryland
12 (1994 Replacement Volume and 1995 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article 2B - Alcoholic Beverages
15 Section 11-403(b)(5) and 11-512
16 Annotated Code of Maryland
17 (1994 Replacement Volume and 1995 Supplement)

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

2

1 **Article 2B - Alcoholic Beverages**

2 11-403.

3 (a) (7) IN GARRETT COUNTY, SUNDAY SALES ARE GOVERNED BY ~~§ 11-512~~
4 ~~OF THIS ARTICLE SUBSECTION (B) OF THIS SECTION, § 11-402 OF THIS SUBTITLE, AND~~
5 ~~§ 11-512 OF THIS TITLE.~~

6 (b) (5) (I) THIS PARAGRAPH APPLIES ONLY IN [In] Garrett County[,
7 however, Sunday sales when].

8 (II) WHEN New Year's Eve or New Year's Day fall on a Sunday, SALES
9 shall be governed by § 11-402(j) of this ~~article~~ SUBTITLE.

10 (III) PROVISIONS FOR SUNDAY SALES FOR CLASS B AND C
11 LICENSEES ARE GOVERNED BY § 11-512 OF THIS ~~ARTICLE~~ TITLE.

12 11-512.

13 (A) [In] THIS SECTION APPLIES ONLY IN Garrett County[, notwithstanding].

14 (B) (1) NOTWITHSTANDING any other provisions of this subtitle and except on
15 Sundays and New Year's Day, holders of any class of on- or off-sale licenses issued under
16 this article[, including a holder of a Class E steamboat license issued by the State
17 Comptroller's Office for use on all State waters located within GarrettCounty,] may sell
18 the alcoholic beverages authorized under their respective license from 6 a.m. to 2 a.m. the
19 following day, but may not sell alcoholic beverages between the hours of 2 a.m. and 6 a.m.
20 on any day of the week or, UNLESS AUTHORIZED UNDER SUBSECTION (C) OF THIS
21 SECTION, at any time on Sunday after 2 a.m.

22 (2) THE PROVISIONS OF THIS SUBSECTION APPLY TO A HOLDER OF A
23 CLASS E STEAMBOAT LICENSE ISSUED BY THE STATE COMPTROLLER'S OFFICE FOR
24 USE ON ALL STATE WATERS LOCATED WITHIN THE COUNTY.

25 (3) However, this section is subject to the provisions of § 11-402(j) of this
26 ~~article~~ TITLE regarding sales on New Year's Eve or New Year's Day regardless of the day
27 of the week on which December 31 and January 1 fall.

28 (C) (1) THE PROVISIONS OF THIS SUBSECTION APPLY ONLY IN THOSE
29 ELECTION DISTRICTS WHICH AUTHORIZE THEM.

30 (2) THIS SUBSECTION ONLY APPLIES TO ON-PREMISES SALES BY
31 HOLDERS OF CLASS C SERVICE CLUB LICENSES AND, SUBJECT TO PARAGRAPH (4) OF
32 THIS SUBSECTION, HOLDERS OF CLASS B LICENSES.

33 (3) SUNDAY SALES MAY BEGIN, WHERE PERMITTED, AT 1 P.M. AND
34 CONTINUE UNTIL 10 P.M.

35 (4) (I) THIS PARAGRAPH DOES NOT APPLY TO A HOLDER OF A CLASS
36 C SERVICE CLUB LICENSE.

37 (II) SUNDAY SALES MAY BE MADE ONLY WHEN THE CONSUMER
38 PLACES AN ORDER FOR A MEAL SIMULTANEOUSLY OR PRIOR TO PLACING AN
39 ORDER FOR AN ALCOHOLIC BEVERAGE OR THE CONSUMER IS OTHERWISE

3
1 ENTITLED TO A MEAL ON THE PREMISES AS PART OF A PREARRANGED EVENT, SUCH
2 AS A BANQUET, WHERE THE ALCOHOLIC BEVERAGE IS SERVED. BAR OR COUNTER
3 SALES MAY BE MADE AS LONG AS THE CONSUMER COMPLIES WITH THE
4 REQUIREMENT OF THIS PARAGRAPH.

5 (5) IN ADDITION TO THE USUAL LICENSE FEE, THE HOLDER OF A
6 LICENSE WHO WANTS TO PROVIDE SUNDAY SALES AND WHO IS OTHERWISE
7 ELIGIBLE TO PROVIDE SUNDAY SALES UNDER THIS SUBSECTION SHALL PAY AN
8 ADDITIONAL \$250 FOR THE PRIVILEGE OF SUNDAY SALES.

9 SECTION 2. AND BE IT FURTHER ENACTED, That before this Act becomes
10 effective it shall first be submitted to a referendum of the legally qualified voters of each
11 election district in Garrett County at the general election to be held in November, 1996.
12 The Board of County Commissioners and the Board of Supervisors of Elections of
13 Garrett County shall do those things necessary and proper to provide for and hold the
14 referendum required by this section. If a majority of the votes cast in each election district
15 on the question are "For the referred law" the provisions of this Act shall become
16 effective in those election districts on December 14, 1996, but if a majority of the votes
17 cast in a particular election district on the question are "Against the referred law" the
18 provisions of this Act are of no effect and null and void in that election district.

19 SECTION 3. AND BE IT FURTHER ENACTED, That, subject to the provisions
20 of Section 2 of this Act and for the sole purpose of providing for the referendum required
21 by Section 2, this Act shall take effect July 1, 1996.