

SENATE BILL 154

A2

8lr1009

By: **Senator Colburn**

Introduced and read first time: January 18, 2008

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Dorchester County - Alcoholic Beverages Act of 2008**

3 FOR the purpose of repealing the off-sale privilege of a Class B beer and light wine
4 license in Dorchester County on and after a certain date; authorizing a holder of
5 a Class B (on-sale and off-sale) beer and light wine license in Dorchester
6 County that is issued on or before a certain date to continue to exercise the
7 privileges of the license and to renew the license; prohibiting the Board of
8 License Commissioners from approving the transfer of a certain license on or
9 before a certain date; repealing a requirement that a holder of a certain license
10 must purchase wine from the Dorchester County Liquor Control Board
11 Dispensaries; clarifying that certain restaurants may obtain a certain license
12 from the Board of License Commissioners; clarifying that a certain license
13 provides for the consumption of beer, wine, and liquor; providing certain
14 penalties for the violation of certain requirements regarding catering events;
15 authorizing the issuance of Class A beer and wine licenses for certain premises
16 under certain circumstances; altering the hours of sale for certain licenses; and
17 generally relating to alcoholic beverages in Dorchester County.

18 BY repealing and reenacting, with amendments,

19 Article 2B - Alcoholic Beverages

20 Section 5-201(k), 6-201(k), 7-101(b)(6) and (d)(7), 9-102(b-6), and
21 11-510(b)(10), (11), (12), and (13)

22 Annotated Code of Maryland

23 (2005 Replacement Volume and 2007 Supplement)

24 BY repealing and reenacting, without amendments,

25 Article 2B - Alcoholic Beverages

26 Section 11-510(a)

27 Annotated Code of Maryland

28 (2005 Replacement Volume and 2007 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY adding to
 2 Article 2B – Alcoholic Beverages
 3 Section 11–510(b)(14)
 4 Annotated Code of Maryland
 5 (2005 Replacement Volume and 2007 Supplement)

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

8 **Article 2B – Alcoholic Beverages**

9 5–201.

10 (k) (1) In Dorchester County the annual license fee is \$300.

11 (2) **[A] ON OR AFTER JULY 1, 2008, A** Class B (on–sale [and
 12 off–sale]) beer and light wine license shall be issued:

13 (i) Only to restaurants; and

14 (ii) Without seating capacity restrictions.

15 (3) [The holder of a license shall purchase all of the wine sold under
 16 this license from Dorchester County Liquor Control Board Dispensaries.] **A HOLDER**
 17 **OF A CLASS B (ON–SALE AND OFF–SALE) BEER AND LIGHT WINE LICENSE**
 18 **ISSUED ON OR BEFORE JUNE 30, 2008, MAY:**

19 (I) **CONTINUE TO EXERCISE ALL OF THE PRIVILEGES OF**
 20 **THE LICENSE THROUGHOUT THE TERM OF THE LICENSE; AND**

21 (II) **RENEW THE LICENSE.**

22 (4) **THE DORCHESTER COUNTY BOARD OF LICENSE**
 23 **COMMISSIONERS MAY NOT APPROVE THE TRANSFER OF A CLASS B (ON–SALE**
 24 **AND OFF–SALE) BEER AND LIGHT WINE LICENSE ISSUED ON OR BEFORE JUNE**
 25 **30, 2008.**

26 6–201.

27 (k) (1) This subsection applies only in Dorchester County.

28 (2) (i) Bona fide restaurants, motels and hotels having restaurant
 29 facilities for serving full–course meals at least twice daily and seating capacity at
 30 tables for 75 or more persons, not including seats at bars or counters, may obtain a
 31 license from the [County Commissioners] **BOARD OF LICENSE COMMISSIONERS.**
 32 This license entitles the licensee to sell beer, wines, and liquors.

1 (ii) The annual license fee is \$1,000.

2 (3) This license provides for the consumption of **BEER**, [wine] **WINE**,
3 and liquor on the premises only.

4 7-101.

5 (b) (6) In Dorchester County:

6 (i) A holder of a special Class C beer license or a special Class C
7 beer and wine license may cater an event at the place described in the license on the
8 effective days of the license;

9 (ii) The fee is \$15 per day; and

10 (iii) A holder of a special Class C beer license or a special Class C
11 beer and wine license:

12 1. Shall distribute at the event for which the license is
13 issued a wristband to each individual who is at least 21 years old; and

14 2. May not serve an alcoholic beverage to any individual
15 who does not wear the wristband.

16 (IV) **A PERSON WHO VIOLATES THIS PARAGRAPH IS SUBJECT**
17 **TO:**

18 **1. FOR THE FIRST OFFENSE, A FINE OF \$50; AND**

19 **2. FOR THE SECOND OFFENSE, A FINE NOT**
20 **EXCEEDING \$500 AND DENIAL OF FURTHER REQUESTS FOR LICENSES FOR**
21 **CATERING ADDITIONAL EVENTS.**

22 (d) (7) In Dorchester County:

23 (i) A holder of a special Class C beer, wine and liquor license
24 may cater an event at the place described in the license on the effective days of the
25 license;

26 (ii) The fee is \$25 per day; and

27 (iii) A holder of a special Class C beer, wine and liquor license:

28 1. Shall distribute at the event for which the license is
29 issued a wristband to each individual who is at least 21 years old; and

1 2. May not serve an alcoholic beverage to any individual
2 who does not wear the wristband.

3 (IV) **A PERSON WHO VIOLATES THIS PARAGRAPH IS SUBJECT**
4 **TO:**

5 1. **FOR THE FIRST OFFENSE, A FINE OF \$50; AND**

6 2. **FOR THE SECOND OFFENSE, A FINE NOT**
7 **EXCEEDING \$500 AND DENIAL OF FURTHER REQUESTS FOR LICENSES FOR**
8 **CATERING ADDITIONAL EVENTS.**

9 9–102.

10 (b–6) (1) Notwithstanding any other provision of this section, in Dorchester
11 County an additional Class A beer license **OR CLASS A BEER AND WINE LICENSE**
12 may be issued for any premises licensed under a Class B or Class D license.

13 (2) The Board of License Commissioners of Dorchester County may
14 limit the number of additional Class A beer licenses **AND CLASS A BEER AND WINE**
15 **LICENSES** that it issues.

16 11–510.

17 (a) This section applies only in Dorchester County.

18 (b) Notwithstanding any other provisions of this subtitle, the hours for sale
19 for alcoholic beverages are as follows:

20 (10) For the holders of a Class A beer and light wine license, sales are
21 permitted:

22 (i) Monday through Saturday from 6 a.m. through [1 a.m. the
23 following day] **MIDNIGHT**; and

24 (ii) Sunday from [12 noon] **6 A.M.** through [12] midnight, except
25 if Christmas Eve or New Year's Eve is on a Sunday, from [12 noon] **6 A.M.** through 2
26 a.m. the following day.

27 (11) For the holders of a Class C beer and light wine license, sales are
28 permitted:

29 (i) Monday through Saturday from 6 a.m. through 1:45 a.m. the
30 following day; and

1 (ii) Sunday from [12] noon through [12] midnight, except if
2 Christmas Eve or New Year's Eve is on a Sunday, from [12] noon through 2 a.m. the
3 following day.

4 (12) For the holders of a Class D beer and light wine license, sales are
5 permitted:

6 (i) Monday through Saturday from 6 a.m. through 1:45 a.m. the
7 following day; and

8 (ii) Sunday from [12] noon through [12] midnight, except if
9 Christmas Eve or New Year's Eve is on a Sunday, from [12] noon through 2 a.m. the
10 following day.

11 (13) For the holders of a Class A beer, wine and liquor license, sales are
12 permitted:

13 (i) Monday through Saturday from 6 a.m. through 12 midnight
14 the following day; and

15 (ii) Sunday from [12 noon] **6 A.M.** through [12] midnight, except
16 if Christmas Eve or New Year's Eve is on a Sunday, from [12 noon] **6 A.M.** through 2
17 a.m. the following day.

18 **(14) FOR THE HOLDERS OF A CLASS D BEER, WINE AND LIQUOR**
19 **LICENSE, SALES ARE ALLOWED:**

20 **(I) MONDAY THROUGH SATURDAY FROM 6 A.M. THROUGH**
21 **1:45 A.M. THE FOLLOWING DAY; AND**

22 **(II) SUNDAY FROM NOON THROUGH MIDNIGHT, EXCEPT IF**
23 **CHRISTMAS EVE OR NEW YEAR'S EVE IS ON A SUNDAY, FROM NOON THROUGH**
24 **2 A.M. THE FOLLOWING DAY.**

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 July 1, 2008.