

CHAPTER 564

(Senate Bill 154)

AN ACT concerning

Dorchester County – Alcoholic Beverages Act of 2008

FOR the purpose of repealing the off-sale privilege of a Class B beer and light wine license in Dorchester County on and after a certain date; authorizing a holder of a Class B (on-sale and off-sale) beer and light wine license in Dorchester County that is issued on or before a certain date to continue to exercise the privileges of the license and to renew the license; prohibiting the Board of License Commissioners from approving the transfer of a certain license on or before a certain date; repealing a requirement that a holder of a certain license must purchase wine from the Dorchester County Liquor Control Board Dispensaries; clarifying that certain restaurants may obtain a certain license from the Board of License Commissioners; clarifying that a certain license provides for the consumption of beer, wine, and liquor; providing certain penalties for the violation of certain requirements regarding catering events; authorizing the Board of License Commissioners to grant a special license entitling the holder to exercise certain privileges at an event conducted by a not for profit club, society, association, or organization; requiring an applicant for a special license to submit to the Board of License Commissioners a certain application on a certain form; authorizing the issuance of Class A beer and wine licenses for certain premises under certain circumstances; clarifying and altering the hours of sale for certain licenses; and generally relating to alcoholic beverages in Dorchester County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 5–201(k), 6–201(k), 7–101(b)(6) ~~and~~, (d)(7), and (n)(2) and (3),
9–102(b–6), and 11–510(b)(10), (11), (12), and (13)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 7–101(n)(1) and 11–510(a)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 11–510(b)(14)

Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

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

Article 2B – Alcoholic Beverages

5–201.

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

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

(i) Only to restaurants; and

(ii) Without seating capacity restrictions.

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

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

(II) **RENEW THE LICENSE.**

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

6–201.

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

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

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

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

7-101.

(b) (6) In Dorchester County:

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

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

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

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

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

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

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

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

(d) (7) In Dorchester County:

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

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

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

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

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

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

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

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

(n) (1) This subsection applies only in Dorchester County.

(2) The Board of License Commissioners may grant a special license of any class, except for any license issued by the Comptroller, that entitles the holder to exercise any of the privileges conferred by that class at an event conducted by a **NOT FOR PROFIT** club, society, association, or organization.

(3) [A license shall be in the form provided by the Board, and the licensee shall sign the license.] **AN APPLICANT FOR A LICENSE SHALL SUBMIT TO THE BOARD A COMPLETED, SIGNED, AND NOTARIZED APPLICATION ON THE FORM THAT THE BOARD PROVIDES.**

9-102.

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

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

11-510.

(a) This section applies only in Dorchester County.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Approved by the Governor, May 22, 2008.