

## Chapter 128

(House Bill 645)

AN ACT concerning

### Montgomery County – Sale of Alcoholic Beverages – Distance from Schools, Places of Worship, or Youth Centers

MC 16-13

FOR the purpose of authorizing the Montgomery County Board of License Commissioners to approve, by majority vote rather than unanimous action, the application for a license to sell alcoholic beverages more than a certain distance away from certain schools, places of worship, or youth centers; making certain stylistic changes; and generally relating to the sale of alcoholic beverages in Montgomery County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 9-216(a)(1) and (3)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

#### Article 2B – Alcoholic Beverages

9-216.

(a) (1) [The] **EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, THE** Montgomery County Board of License Commissioners may not issue any license to sell alcoholic beverages within 750 feet of any secondary or elementary school, church or other place of worship, or youth center sponsored or conducted by any governmental agency.

(3) The **MONTGOMERY COUNTY** Board of License Commissioners may [within its discretion and by unanimous action of the Board] **BY MAJORITY VOTE** approve the application for any license to sell alcoholic beverages more than 300 feet from any elementary or secondary school, church or other place of worship, or youth center sponsored or conducted by any governmental agency provided that the land upon which the building is situated in which the licensee would operate is classified in a commercial or industrial zone under the applicable zoning ordinance

and is adjacent or contiguous to other land which is similarly classified under [said] **THE** zoning ordinance.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013.

**Approved by the Governor, April 9, 2013.**