

HOUSE BILL 464

A2

3lr1782
CF SB 371

By: **Delegate Beitzel**

Introduced and read first time: January 28, 2013

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Garrett County – Alcoholic Beverages – Sunday Sales**

3 FOR the purpose of specifying that certain provisions of law concerning the Sunday
4 sale of alcoholic beverages in Garrett County apply to a precinct of an election
5 district in which the voters in a referendum authorized by law approve Sunday
6 sales; specifying that certain provisions of law concerning Sunday sales apply to
7 a holder of a Class D license operating an establishment that meets certain
8 specifications; providing for certain fees; making technical and stylistic changes;
9 and generally relating to alcoholic beverages sales in Garrett County.

10 BY repealing and reenacting, without amendments,
11 Article 2B – Alcoholic Beverages
12 Section 11–512(a)
13 Annotated Code of Maryland
14 (2011 Replacement Volume and 2012 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article 2B – Alcoholic Beverages
17 Section 11–512(c)
18 Annotated Code of Maryland
19 (2011 Replacement Volume and 2012 Supplement)

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

22 **Article 2B – Alcoholic Beverages**

23 11–512.

24 (a) This section applies only in Garrett County.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) (1) The provisions of this subsection apply in:

2 (i) Election districts 11 and 15, in which the voters approved
3 Sunday sales in the referendum authorized by law in November 1996; and

4 (ii) Any other election district **OR PRECINCT OF AN ELECTION**
5 **DISTRICT** in which the voters in a referendum authorized by law approve Sunday
6 sales as specified in this subsection.

7 (2) This subsection only applies to on-premises sales by[holders]:

8 (I) **A HOLDER** of A Class C service club [licenses] **LICENSE**; and

9 (II) [, subject] **SUBJECT** to paragraph (4) of this subsection[,
10 holders] **A HOLDER** of A Class B [licenses] **LICENSE**, special 2-day Class C [licenses]
11 **LICENSE**, special 6-day Class C [licenses and] **LICENSE**, **OR** special 12-day Class C
12 [licenses] **LICENSE**; **OR**

13 (III) **A HOLDER OF A CLASS D LICENSE OPERATING AN**
14 **ESTABLISHMENT THAT:**

15 1. **IS IN A PERMANENT BUILDING;**

16 2. **HAS A SEATING CAPACITY AT TABLES, NOT**
17 **INCLUDING SEATS AT BARS OR COUNTERS, FOR AT LEAST 20 PERSONS;**

18 3. **IS EQUIPPED WITH A FULL-SERVICE**
19 **COMMERCIAL KITCHEN CAPABLE OF PREPARING AND SERVING FULL-COURSE**
20 **MEALS FOR AT LEAST 20 PERSONS AT ONE SEATING; AND**

21 4. **IS APPROVED BY THE COUNTY BOARD OF**
22 **LICENSE COMMISSIONERS, DEPARTMENT OF PUBLIC UTILITIES, HEALTH**
23 **DEPARTMENT, AND PLANNING AND LAND DEVELOPMENT OFFICE.**

24 (3) Sunday sales may begin, where permitted, at 1 p.m. and continue
25 until 10 p.m.

26 (4) (i) This paragraph does not apply to a holder of a Class C
27 service club license.

28 (ii) Sunday sales may be made only when the consumer places
29 an order for a meal simultaneously or prior to placing an order for an alcoholic
30 beverage or the consumer is otherwise entitled to a meal on the premises as part of a

1 prearranged event, such as a banquet, where the alcoholic beverage is served. Bar or
2 counter sales may be made as long as the consumer complies with the requirement of
3 this paragraph.

4 (5) In addition to the usual license fee, the holder of a Class C service
5 club license [or], Class B license, **OR CLASS D LICENSE** who wants to provide Sunday
6 sales and who is otherwise eligible to provide Sunday sales under this subsection shall
7 pay an additional \$250 for the privilege of Sunday sales.

8 (6) At the time the Class C service club license [or], Class B license,
9 **OR CLASS D LICENSE** is issued, the Board shall charge a \$250 issuing fee.

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