

# HOUSE BILL 1078

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By: **Prince George's County Delegation**

Introduced and read first time: February 8, 2013

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Alcoholic Beverages – Sunday Off-Sale Permit**

3 **PG 302-13**

4 FOR the purpose of establishing a special Sunday off-sale permit in Prince George's  
5 County; authorizing the Board of License Commissioners to issue the permit to  
6 certain license holders; authorizing a permit holder to sell certain alcoholic  
7 beverages during a certain time on Sunday for consumption off the licensed  
8 premises; providing a permit fee; authorizing the Board to adopt certain  
9 regulations; clarifying the privileges of a certain on-sale permit; making certain  
10 stylistic changes; and generally relating to alcoholic beverages in Prince  
11 George's County.

12 BY repealing and reenacting, without amendments,  
13 Article 2B – Alcoholic Beverages  
14 Section 11-517(a)  
15 Annotated Code of Maryland  
16 (2011 Replacement Volume and 2012 Supplement)

17 BY repealing and reenacting, with amendments,  
18 Article 2B – Alcoholic Beverages  
19 Section 11-517(b)(1) and (2)(ii) and (f)  
20 Annotated Code of Maryland  
21 (2011 Replacement Volume and 2012 Supplement)

22 BY adding to  
23 Article 2B – Alcoholic Beverages  
24 Section 11-517(l)  
25 Annotated Code of Maryland  
26 (2011 Replacement Volume and 2012 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article 2B – Alcoholic Beverages**

4 11–517.

5 (a) This section applies only in Prince George’s County.

6 (b) (1) (i) A holder of any retail “on–sale” alcoholic beverage license or  
7 any agent, servant or employee of a holder of any “on–sale” alcoholic beverage license  
8 may not sell or serve any alcoholic beverages for consumption on the licensed premises  
9 or permit any alcoholic beverages to be consumed on the licensed premises between  
10 the hours of 2:00 a.m. and 6:00 a.m., except as provided in subsection (c) of this  
11 section.

12 (ii) Holders of any “on–sale” retail alcoholic beverage license,  
13 their agents, servants, or employees may sell beer and light wine on Sunday for  
14 consumption on the licensed premises, except between the hours of 2:00 a.m. and 8:00  
15 a.m.

16 (iii) Subject to paragraph (2) of this subsection, a holder of any  
17 Class B restaurant license, with or without [a] **AN ON–SALE** Sunday permit **THAT**  
18 **AUTHORIZES THE HOLDER TO SELL LIQUOR BY THE GLASS**, may sell beer, wine  
19 and liquor on Sunday when it falls on Christmas Eve or New Year’s Eve, except  
20 between the hours of 2:00 a.m. and 8:00 a.m.

21 (2) (ii) A holder of a Class A beer, wine and liquor license or any  
22 agent, servant or employee of a holder of a Class A beer, wine and liquor license may  
23 not make any sale on Sunday after 12:00 a.m. [except when] **UNLESS:**

24 1. December 24 and 31 fall on a Sunday; **OR**

25 2. **THE HOLDER HOLDS A SUNDAY OFF–SALE**  
26 **PERMIT UNDER SUBSECTION (L) OF THIS SECTION.**

27 (f) (1) (I) [Notwithstanding any other provisions of this article, but in  
28 addition thereto] **EXCEPT AS PROVIDED IN SUBSECTION (L) OF THIS SECTION**  
29 **AND SUBPARAGRAPH (II) OF THIS PARAGRAPH**, the holder of a beer, wine and  
30 liquor license, Class B, his agents, servants or employees may not sell any alcoholic  
31 beverages for consumption off the licensed premises between the hours of 12:00 a.m.  
32 and 6:00 a.m. or on Sunday after 12:00 a.m. from any separate store established on the  
33 licensed premises as an “off–sale store” or to keep an “off–sale store” open for business  
34 on Sunday after 12:00 a.m. [except that beer]

1                   **(II) BEER** and light wine only may be sold from an “off-sale”  
2 store which is attached to and a part of the licensed premises on Sunday after 8:00  
3 a.m. until 12:00 a.m. the day following.

4                   **(2) (I)** For the purpose of this provision, the Board of License  
5 Commissioners shall determine by reasonable standards what shall constitute an  
6 “off-sale store”.

7                   **(II)** Nothing further herein shall be construed to permit sales at  
8 any time between 12:00 a.m. and 6:00 a.m. of any day.

9           **(L) (1) THERE IS A SPECIAL SUNDAY OFF-SALE PERMIT.**

10                   **(2) THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE THE**  
11 **PERMIT TO A HOLDER OF:**

12                           **(I) ANY CLASS A LICENSE; OR**

13                           **(II) A CLASS B BEER, WINE AND LIQUOR LICENSE WITH AN**  
14 **OFF-SALE PRIVILEGE.**

15                   **(3) THE PERMIT AUTHORIZES THE SALE OF ALCOHOLIC**  
16 **BEVERAGES THAT THE HOLDER IS LICENSED TO SELL:**

17                           **(I) FROM 8:00 A.M. ON SUNDAY TO MIDNIGHT THE**  
18 **FOLLOWING DAY; AND**

19                           **(II) FOR CONSUMPTION OFF THE LICENSED PREMISES**  
20 **ONLY.**

21                   **(4) THE ANNUAL PERMIT FEE IS \$450, WHICH IS IN ADDITION TO**  
22 **THE ANNUAL FEE FOR THE HOLDER’S ALCOHOLIC BEVERAGES LICENSE.**

23                   **(5) THE BOARD OF LICENSE COMMISSIONERS MAY ADOPT**  
24 **REGULATIONS TO CARRY OUT THIS SUBSECTION.**

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