

HOUSE BILL 931

A2

5lr2330

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

Introduced and read first time: February 13, 2015

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Alcoholic Beverages – Prince George's County – Seven Day Sales**

3 **PG 318–15**

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 the permit holder to sell certain alcoholic
7 beverages during a certain time on Sunday for consumption off the licensed
8 premises; establishing a certain fee for the permit; authorizing the Board of License
9 Commissioners to adopt certain regulations; making conforming changes; making
10 stylistic changes; and generally relating to alcoholic beverages in Prince George's
11 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 2014 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article 2B – Alcoholic Beverages
19 Section 11–517(b) and (f)
20 Annotated Code of Maryland
21 (2011 Replacement Volume and 2014 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 2014 Supplement)

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

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

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

19 (2) (i) Subject to subparagraph (ii) of this paragraph, a holder of a Class
20 A retail “off–sale” alcoholic beverages license or a Class B or D alcoholic beverages license
21 with off–sale privileges, or any agent, servant or employee of the holder, may not sell any
22 alcoholic beverages for consumption off the licensed premises between the hours of 12:00
23 a.m. and 6:00 a.m.

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

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

28 2. **THE HOLDER OF A CLASS A BEER, WINE AND LIQUOR**
29 **LICENSE HOLDS A SPECIAL SUNDAY OFF–SALE PERMIT UNDER SUBSECTION (L) OF**
30 **THIS SECTION.**

31 (f) (1) (I) [Notwithstanding any other provisions of this article, but in
32 addition thereto] **EXCEPT AS PROVIDED IN SUBSECTION (L) OF THIS SECTION AND**
33 **SUBPARAGRAPH (II) OF THIS PARAGRAPH**, the holder of a **CLASS B** beer, wine and
34 liquor license, [Class B, his agents, servants or employees] **AND AN AGENT, A SERVANT,**
35 **OR AN EMPLOYEE OF A HOLDER OF A CLASS B BEER, WINE AND LIQUOR LICENSE**

1 may not sell any alcoholic beverages for consumption off the licensed premises between the
2 hours of 12:00 a.m. and 6:00 a.m. or on Sunday after 12:00 a.m. from any separate store
3 established on the licensed premises as an “off-sale store” or to keep an “off-sale store”
4 open for business on Sunday after 12:00 a.m. [except that beer].

5 (II) BEER and light wine only may be sold from an “off-sale” store
6 which is attached to and a part of the licensed premises on Sunday after 8:00 a.m. until
7 12:00 a.m. the day following.

8 (2) For the [purpose] PURPOSES of this [provision] SUBSECTION, the
9 Board of License Commissioners shall determine by reasonable standards what shall
10 constitute an “off-sale store”.

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

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

14 (2) THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE THE
15 PERMIT TO THE HOLDER OF:

16 (I) ANY CLASS A LICENSE; OR

17 (II) A CLASS B BEER, WINE AND LIQUOR LICENSE WITH AN
18 OFF-SALE PRIVILEGE.

19 (3) THE PERMIT AUTHORIZES THE SALE OF ALCOHOLIC BEVERAGES
20 THAT THE HOLDER IS AUTHORIZED TO SELL:

21 (I) ON SUNDAY, FROM 8 A.M. TO MIDNIGHT; AND

22 (II) FOR CONSUMPTION OFF THE LICENSED PREMISES ONLY.

23 (4) THE ANNUAL PERMIT FEE FOR THE SPECIAL SUNDAY OFF-SALE
24 PERMIT IS \$450, WHICH IS IN ADDITION TO THE ANNUAL FEE FOR THE CLASS A
25 LICENSE OR CLASS B BEER, WINE AND LIQUOR LICENSE TO WHICH IT IS ATTACHED.

26 (5) THE BOARD OF LICENSE COMMISSIONERS MAY ADOPT
27 REGULATIONS TO CARRY OUT THIS SUBSECTION.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
29 1, 2015.