

## Article - Alcoholic Beverages

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§11-402.

(a) This section applies primarily to January 1 of each year, New Year's Day but may also apply to December 24 and 31, as specified for each jurisdiction.

(b) (1) This subsection applies only in Allegany County.

(2) The Board of License Commissioners shall determine within their sole discretion the hour at which establishments serving alcoholic beverages must cease sales on New Year's Eve Day and on New Year's Day morning regardless of the day of the week on which December 31 and January 1 fall.

(c) (1) This subsection applies only in Anne Arundel County.

(2) This article may not be construed to require any holder of an on-sale license to close the licensed establishment at any time on January 1 of any year, and any holder of the license may make any sale of alcoholic beverages authorized by the license at any time on January 1 of any year.

(d) (1) This subsection applies only in Baltimore City.

(2) A licensee may not be required to close the licensed premises at any time on January 1 of any year. The licensee may sell alcoholic beverages that are authorized by the license at any time on January 1.

(e) (1) This subsection applies only in Baltimore County.

(2) A licensee may not be required to close the licensed premises at any time on January 1 of any year. The licensee may sell alcoholic beverages that are authorized by the license at any time on January 1.

(f) (1) This subsection applies only in Calvert County.

(2) A licensee may not be required to close the licensed premises at any time on January 1 of any year. The licensee may sell alcoholic beverages that are authorized by the license at any time on January 1.

(g) (1) This subsection applies only in Caroline County.

(2) The holder of any on-sale license may sell alcoholic beverages for consumption on the premises only in accordance with the privileges granted by that license on December 31 and January 1 between the hours of 2 p.m. December 31 and 12 midnight January 1, regardless of which day of the week December 31 and January 1 fall on. However, the holder of any on-sale license may elect to sell alcoholic beverages in accordance with the hours authorized by that license if the hours herein

specified for December 31 and January 1 restrict those regular hours. The holder of any Class B or Class D license which permits beer sales for off-premises consumption may sell beer on December 31 and January 1 in accordance with the off-sale privileges granted by that license.

(h) (1) This subsection applies only in Carroll County.

(2) This article may not be construed to restrict the sale of alcoholic beverages by a holder of a Class B, Class C, Class H, or special license; or to restrict any person from consuming any alcoholic beverages on the premises of a holder of a Class B, Class C, Class H, or special license between the hours of 12 midnight and 3 a.m. on January 1 of any year.

(i) (1) This subsection applies only in Cecil County.

(2) (i) This article may not be construed to restrict the sale of alcoholic beverages under any class of license issued under this article or to restrict any person from consuming any alcoholic beverage on any premises licensed under this article:

1. On January 1, between midnight and 4 a.m.; or

2. On December 31, when that date falls on a Sunday, between 7 p.m. and 4 a.m. the following day.

(ii) On January 1, when that date falls on a Sunday, a person may not sell any class of alcoholic beverages or consume alcoholic beverages on a licensed premises between 4 a.m. and the appropriate opening hour of sale listed in § 11-508 of this title.

(j) (1) This subsection applies only in Charles County.

(2) The Board of License Commissioners upon application shall issue a special permit authorizing licensees therein to stay open on New Year's Day without regard to any restrictions as to hours or days of sale contained in this subtitle. However, licensees are subject to regulations adopted by the Board restricting and specifying the hours during which classes of those licensees may stay open on New Year's Day.

(k) Repealed.

(l) Reserved.

(m) (1) This subsection applies only in Garrett County.

(2) The Liquor Control Board shall determine within their sole discretion the hour at which establishments serving alcoholic beverages must cease sales on New Year's Eve Day and on New Year's Day morning regardless of the day of the week on which December 31 and January 1 fall.

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

(2) This article may not be construed to require any holder of an on-sale license to close the licensed premises until 2:00 a.m. on January 1 of any year. A licensee may sell any alcoholic beverages authorized by the license until 2:00 a.m. on January 1 of any year.

(o) (1) This subsection applies only in Howard County.

(2) Notwithstanding §§ 11-304(a) and 11-514 of this title and any other restrictions as to hours imposed by this article, a licensee, except any Class A (off-sale) licensee, may remain open and sell alcoholic beverages authorized by his license at all times on January 1 of any year.

(3) Notwithstanding § 6-101 of this article, § 11-403 of this subtitle, and § 11-514 of this title, a Class A beer, wine and liquor licensee may sell beer, wine, and liquor between the hours of 6:00 a.m. and midnight on any December 24 or December 31 regardless of which day of the week these dates fall on.

(p) (1) This subsection applies only in Kent County.

(2) This article may not be construed to restrict the sale of alcoholic beverages under any class of license issued under this article or to restrict any person from consuming any alcoholic beverages on any premises licensed under this article between the hours of 12 midnight and 4 a.m. on January 1 of any year or between the hours of 7 p.m. and 12 midnight, on December 31 in any year when December 31 falls on a Sunday. However, in any year in which January 1 falls on a Sunday, it is unlawful to sell alcoholic beverages under any class of license or to consume any alcoholic beverages on any licensed premises on January 1 between the hours of 4 a.m. and 2 p.m. in Kent County.

(q) (1) This subsection applies only in Montgomery County.

(2) Upon application to the Board of License Commissioners at least 60 days in advance, the Commissioners may issue a special permit authorizing on-sale licensees to stay open and sell alcoholic beverages subject to the provisions of this article on January 1 until 2 a.m.

(r) (1) This subsection applies only in Prince George's County.

(2) This article may not be construed to require any holder of an on-sale license to close the licensed premises until 2:00 a.m. on January 1 of any year. A licensee may sell any alcoholic beverages authorized by the license until 2:00 a.m. on January 1 of any year.

(s) (1) This subsection applies only in Queen Anne's County.

(2) This article may not be construed to require any holder of an on-sale

license to close that establishment at any time on January 1 of any year. A licensee may sell alcoholic beverages authorized by the license at any time on January 1 of any year.

(t) (1) This subsection applies only in St. Mary's County.

(2) The Board of License Commissioners, upon application in such form and at such time as they direct, may issue a special permit authorizing any licensee to keep the licensed premises open on January 1 of any year.

(u) (1) This subsection applies only in Somerset County.

(2) The Board of License Commissioners shall determine the hour to cease sales of alcoholic beverages on December 31 and January 1 regardless of the day of the week on which these dates fall.

(v) Reserved.

(w) (1) This subsection applies only in Washington County.

(2) This article may not be construed to require any holder of an on-sale license to close the licensed premises until 2 a.m. on January 1 of any year. A licensee may sell any alcoholic beverages authorized by the license until 2 a.m. on January 1 of any year.

(3) When December 31 falls on a Sunday, any holder of an on-sale license may make sales only for consumption on the premises of any alcoholic beverages authorized by license from 9 p.m. on December 31 until 2 a.m. the following day.

(x) (1) This subsection applies only in Wicomico County.

(2) The Board of License Commissioners shall determine the hour at which establishments serving alcoholic beverages must cease sales on New Year's Day morning regardless of the day of the week on which January 1 falls.

(y) (1) This subsection applies only in Worcester County.

(2) The Board of License Commissioners shall determine within their sole discretion the hour at which establishments serving alcoholic beverages must cease sales on December 31 and January 1 regardless of the day of the week on which December 31 and January 1 fall.

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