

SENATE BILL 861

A2

6lr1374
CF 6lr1990

By: **Senators Young and Hough**

Introduced and read first time: February 5, 2016

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Frederick County – Dry Election Districts – Repeal**

3 FOR the purpose of repealing certain provisions of law that prohibit the Board of License
4 Commissioners for Frederick County from issuing certain alcoholic beverages
5 licenses in certain election districts in the County; providing that the Board may
6 issue anywhere in the County, regardless of election district, any license authorized
7 under a certain provision of law except as otherwise provided under a certain
8 provision; requiring that a certain public hearing be held for a license; specifying
9 that the Board may issue a Class C beer, wine, and liquor license to certain
10 organizations; and generally relating to alcoholic beverages licenses in Frederick
11 County.

12 BY repealing and reenacting, without amendments,
13 Article – Alcoholic Beverages
14 Section 20–102
15 Annotated Code of Maryland
16 (As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General
17 Assembly of 2016)

18 BY repealing and reenacting, with amendments,
19 Article – Alcoholic Beverages
20 Section 20–1602
21 Annotated Code of Maryland
22 (As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General
23 Assembly of 2016)

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

26 **Article – Alcoholic Beverages**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 20–102.

2 This title applies only in Frederick County.

3 20–1602.

4 [(a) (1) Except as otherwise provided in this section, the Board may not issue a
5 license for an establishment in any of the following election districts:

6 (i) Catoctin (6th);

7 (ii) Hauvers (10th);

8 (iii) Jackson (16th);

9 (iv) Linganore (19th); and

10 (v) Ballenger (23rd).

11 (2) This subsection does not apply to a Class 8 farm brewery license issued
12 under § 2–210 of this article.

13 (3) The Board may issue the following licenses for an establishment in the
14 Ballenger election district:

15 (i) a Class 7 micro–brewery license;

16 (ii) a Class B–CC license;

17 (iii) a Class B license; and

18 (iv) a Class MEC license.

19 (b) (1) Except as provided in paragraph (2) of this subsection, the Board may
20 issue a Class A, Class B, or Class C beer license for an establishment in any of the following
21 election districts:

22 (i) Jefferson (14th);

23 (ii) Johnsville (17th); and

24 (iii) Burkittsville (22nd).

25 (2) The Board may issue a Class B–CI (country inn) on–sale beer, wine,
26 and liquor license for the use of an establishment in the Burkittsville (22nd) election
27 district.

1 (c) The Board may issue a Class A, Class B, or Class C beer and wine license or
2 a Class A, Class B, or Class C beer, wine, and liquor license for an establishment in any of
3 the following election districts:

- 4 (1) Buckeystown (1st);
- 5 (2) Frederick (2nd);
- 6 (3) Creagerstown (4th);
- 7 (4) Emmitsburg (5th);
- 8 (5) Urbana (7th);
- 9 (6) Liberty (8th);
- 10 (7) New Market (9th);
- 11 (8) Woodsboro (11th);
- 12 (9) Petersville (12th);
- 13 (10) Mt. Pleasant (13th);
- 14 (11) Thurmont (15th);
- 15 (12) Woodville (18th);
- 16 (13) Lewistown (20th);
- 17 (14) Tuscarora (21st);
- 18 (15) Braddock (24th);
- 19 (16) Brunswick (25th); and
- 20 (17) Walkersville (26th).

21 (d) The Board may issue a Class C beer, wine, and liquor license for an
22 establishment in the 3rd election district.

- 23 (e) (1) The Board may issue within the municipal boundaries of Middletown:
- 24 (i) Class A, Class B, or Class C beer licenses;
 - 25 (ii) Class B beer, wine, and liquor (on-sale) licenses, if the licensed
26 premises derives at least 70% of its monthly gross revenue from the sale of food; and

1 (iii) Middletown Wine Festival licenses.

2 (2) In all other areas of the Middletown (3rd) election district, the Board
3 may issue only:

4 (i) Class A, Class B, or Class C beer licenses; or

5 (ii) Middletown Wine Festival licenses.

6 (f) (1) Wine may be sold as provided under a winery license, a limited winery
7 license, or a Class A wine license in any election district.

8 (2) A holder of a limited winery license may provide tables and chairs on
9 the premises of the licensed facility for the sale, by the glass, of wine and pomace brandy
10 made at the facility to an individual who participates in a guided tour of the facility or
11 attends a scheduled promotional event or other organized activity at the licensed premises.]

12 (A) **EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, THE BOARD MAY**
13 **ISSUE ANY LICENSE:**

14 (1) **AUTHORIZED UNDER THIS TITLE ANYWHERE IN THE COUNTY,**
15 **REGARDLESS OF ELECTION DISTRICT; AND**

16 (2) **FOR WHICH A PUBLIC HEARING IS HELD.**

17 [(g)] (B) (1) The Board may issue a **CLASS C** beer, wine, and liquor license
18 to:

19 (i) a religious organization;

20 (ii) a fraternal organization;

21 (iii) a civic organization;

22 (iv) a war veterans' organization; and

23 (v) a patriotic organization.

24 (2) A license issued under this subsection may be used only for on-premises
25 consumption.

26 (3) All net proceeds from the sale of alcoholic beverages by an organization
27 listed in paragraph (1) of this subsection shall be used solely for charitable purposes or
28 otherwise to further the purposes of the organization.

1 [(h) The Board may issue Class C (golf and country club) licenses for
2 establishments in the 16th election district.]

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
4 1, 2016.