

SENATE BILL 861

A2

6lr1374
CF HB 1109

By: **Senators Young and Hough**

Introduced and read first time: February 5, 2016

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: March 11, 2016

CHAPTER _____

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)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article – Alcoholic Beverages**

4 20–102.

5 This title applies only in Frederick County.

6 20–1602.

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

9 (i) Catoctin (6th);

10 (ii) Hauvers (10th);

11 (iii) Jackson (16th);

12 (iv) Linganore (19th); and

13 (v) Ballenger (23rd).

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

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

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

19 (ii) a Class B–CC license;

20 (iii) a Class B license; and

21 (iv) a Class MEC license.

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

25 (i) Jefferson (14th);

26 (ii) Johnsville (17th); and

1 (iii) Burkittsville (22nd).

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

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

8 (1) Buckeystown (1st);

9 (2) Frederick (2nd);

10 (3) Creagerstown (4th);

11 (4) Emmitsburg (5th);

12 (5) Urbana (7th);

13 (6) Liberty (8th);

14 (7) New Market (9th);

15 (8) Woodsboro (11th);

16 (9) Petersville (12th);

17 (10) Mt. Pleasant (13th);

18 (11) Thurmont (15th);

19 (12) Woodville (18th);

20 (13) Lewistown (20th);

21 (14) Tuscarora (21st);

22 (15) Braddock (24th);

23 (16) Brunswick (25th); and

24 (17) Walkersville (26th).

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

1 (e) (1) The Board may issue within the municipal boundaries of Middletown:

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

3 (ii) Class B beer, wine, and liquor (on-sale) licenses, if the licensed
4 premises derives at least 70% of its monthly gross revenue from the sale of food; and

5 (iii) Middletown Wine Festival licenses.

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

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

9 (ii) Middletown Wine Festival licenses.

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

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

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

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

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

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

23 (i) a religious organization;

24 (ii) a fraternal organization;

25 (iii) a civic organization;

26 (iv) a war veterans' organization; and

27 (v) a patriotic organization.

1 (2) A license issued under this subsection may be used only for on–premises
2 consumption.

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

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

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
9 1, 2016.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.