

SENATE BILL 878

A2

6lr2835
CF HB 995

By: **Senator Edwards**

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 **Allegany County – Alcoholic Beverages – Sunday Sales**

3 FOR the purpose of altering the hours for sale of certain alcoholic beverages on Sundays by
4 a holder of a Class D beer license, a Class D beer and light wine license, a Class B
5 beer, wine, and liquor license, and a Class D beer, wine, and liquor license in
6 Allegany County under certain circumstances; and generally relating to the hours
7 for sale of alcoholic beverages on Sundays in Allegany County.

8 BY repealing and reenacting, without amendments,
9 Article – Alcoholic Beverages
10 Section 9–101(a) and (b), 9–102, and 9–2005
11 Annotated Code of Maryland
12 (As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General
13 Assembly of 2016)

14 BY repealing and reenacting, with amendments,
15 Article – Alcoholic Beverages
16 Section 9–2002(d), 9–2003(d), and 9–2004(b) and (d)
17 Annotated Code of Maryland
18 (As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General
19 Assembly of 2016)

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

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.



Article – Alcoholic Beverages

1
2 9–101.

3 (a) In this title:

4 (1) except as provided in subsection (c) of this section, the definitions in §
5 9–101 of this article apply without exception or variation; and

6 (2) the following words have the meanings indicated.

7 (b) “Board” means the Board of License Commissioners for Allegany County.

8 9–102.

9 This title applies only in Allegany County.

10 9–2002.

11 (d) (1) Except as provided in § 9–2005 of this subtitle for December 31 and
12 January 1, a holder of a Class D beer license may sell beer:

13 (i) on Monday through Saturday, for on–premises and off–premises
14 consumption, from 7 a.m. to 2 a.m. the following day;

15 (ii) on Sunday, for on–premises consumption, from [1 p.m.] **11 A.M.**
16 to 2 a.m. the following day if the holder:

17 1. pays an additional fee of \$250; and

18 2. is issued the license for use in a restaurant in a permanent
19 building with ample space and accommodations where meals are usually prepared, sold, or
20 served to the public when the restaurant is regularly open for business; or

21 (iii) in accordance with a 2–day Sunday sales permit issued under
22 paragraph (2) of this subsection.

23 (2) (i) The Board may issue a 2–day Sunday sales permit to a holder of
24 a Class D beer license.

25 (ii) An applicant for a 2–day Sunday sales permit need not have
26 kitchen facilities on the licensed premises.

27 (iii) A 2–day Sunday sales permit authorizes the holder to sell beer
28 for on–premises consumption on not more than two Sundays in a year from [1 p.m.] **11**
29 **A.M.** Sunday to 2 a.m. the following day.

1 (iv) The permit fee is \$50 for each time the permit is used.

2 9–2003.

3 (d) (1) Except as provided in § 9–2005 of this subtitle for December 31 and
4 January 1, a holder of a Class D beer and light wine license may sell beer and light wine:

5 (i) on Monday through Saturday, for on–premises and off–premises
6 consumption, from 7 a.m. to 2 a.m. the following day;

7 (ii) on Sunday, for on–premises consumption, from [1 p.m.] 11 A.M.
8 to 2 a.m. the following day if the holder:

9 1. pays an additional fee of \$250; and

10 2. is issued the license for use in a restaurant in a permanent
11 building with ample space and accommodations where meals are usually prepared, sold, or
12 served to the public when the restaurant is regularly open for business; or

13 (iii) in accordance with a 2–day Sunday sales permit issued under
14 paragraph (2) of this subsection.

15 (2) (i) The Board may issue a 2–day Sunday sales permit to a holder of
16 a Class D beer and light wine license.

17 (ii) An applicant for a 2–day Sunday sales permit need not have
18 kitchen facilities on the licensed premises.

19 (iii) A 2–day Sunday sales permit authorizes the holder to sell beer
20 and light wine for on–premises consumption on not more than two Sundays in a year from
21 [1 p.m.] 11 A.M. Sunday to 2 a.m. the following day.

22 (iv) The permit fee is \$50 for each time the permit is used.

23 9–2004.

24 (b) (1) Except as provided in § 9–2005 of this subtitle for December 31 and
25 January 1, a holder of a Class B beer, wine, and liquor license may sell beer, wine, and
26 liquor:

27 (i) on Monday through Saturday, for on–premises and off–premises
28 consumption, from 7 a.m. to 2 a.m. the following day;

29 (ii) on Sunday, for on–premises consumption, from [1 p.m.] 11 A.M.
30 to 2 a.m. the following day if the holder:

31 1. pays an additional fee of \$250;

1 2. is issued the license for use in a restaurant in a permanent
2 building with ample space and accommodations where meals are usually prepared, sold, or
3 served to the public when the restaurant is regularly open for business; or

4 3. is issued a 2–day Sunday sales permit in accordance with
5 paragraph (2) of this subsection.

6 (2) (i) The Board may issue a 2–day Sunday sales permit to a holder of
7 a Class B beer, wine, and liquor license, including a Class B beer, wine, and liquor license
8 issued for use in a restaurant or banquet room in a hotel or motel.

9 (ii) An applicant for a 2–day Sunday sales permit need not have
10 kitchen facilities on the licensed premises.

11 (iii) A 2–day Sunday sales permit authorizes the holder to sell beer,
12 wine, and liquor for on–premises consumption on not more than two Sundays in a year
13 from [1 p.m.] 11 A.M. Sunday to 2 a.m. the following day.

14 (iv) The permit fee is \$50 for each time the permit is used.

15 (d) (1) Except as provided in § 9–2005 of this subtitle for December 31 and
16 January 1, a holder of a Class D beer, wine, and liquor license may sell beer, wine, and
17 liquor:

18 (i) on Monday through Saturday, for on–premises and off–premises
19 consumption, from 7 a.m. to 2 a.m. the following day;

20 (ii) on Sunday, from [1 p.m.] 11 A.M. to 2 a.m. the following day if
21 the holder:

22 1. pays an additional fee of \$250; and

23 2. is issued the license for use in a restaurant in a permanent
24 building with ample space and accommodations where meals are usually prepared, sold, or
25 served to the public when the restaurant is regularly open for business; or

26 (iii) in accordance with a 2–day Sunday sales permit issued under
27 paragraph (2) of this subsection.

28 (2) (i) The Board may issue a 2–day Sunday sales permit to a holder of
29 a Class D beer, wine, and liquor license.

30 (ii) An applicant for a 2–day Sunday sales permit need not have
31 kitchen facilities on the licensed premises.

1 (iii) A 2-day Sunday sales permit authorizes the holder to sell beer,
2 wine, and liquor for on-premises consumption on not more than two Sundays in a year
3 from [1 p.m.] 11 A.M. Sunday to 2 a.m. the following day.

4 (iv) The permit fee is \$50 for each time the permit is used.

5 9-2005.

6 The Board shall determine the hours of sale for December 31 and January 1,
7 regardless of the days of the week on which those dates fall.

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.