

Chapter 145

(House Bill 1096)

AN ACT concerning

Allegany County – Alcoholic Beverages – Sunday Sales and Privileges

FOR the purpose of altering the times of sale on Sunday and license privileges on Sunday for certain alcoholic beverages licenses in Allegany County; repealing a certain requirement for certain Sunday sales; and generally relating to alcoholic beverages licenses in Allegany County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 9–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 9–2002, 9–2003, and 9–2004
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

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

Article – Alcoholic Beverages

9–102.

This title applies only in Allegany County.

9–2002.

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

(i) on Monday through Saturday from 7 a.m. to 2 a.m. the following day; and

(ii) on Sunday from 11 a.m. to [midnight] **2 A.M. THE FOLLOWING DAY** if the holder:

- 1. pays an additional fee of \$250; or

2. is issued a 2-day Sunday sales permit in accordance with paragraph (2) of this subsection.

(2) (i) The Board may issue a 2-day Sunday sales permit to a holder of a Class A beer license.

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

(iii) A 2-day Sunday sales permit authorizes the holder to sell beer for off-premises consumption on not more than two Sundays in a year from 11 a.m. to [midnight] **2 A.M. THE FOLLOWING DAY.**

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

(c) (1) Except as provided in § 9-2005 of this subtitle for December 31 and January 1, a holder of a Class C beer license may sell beer:

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

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

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

2. is issued a 2-day Sunday sales permit in accordance with paragraph (2) of this subsection.

(2) (i) The Board may issue a 2-day Sunday sales permit to a holder of a Class C beer license.

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

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

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

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

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

(ii) on Sunday, for on-premises **AND OFF-PREMISES** consumption, from 11 a.m. to 2 a.m. the following day if the holder[:

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

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

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

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

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

(iii) A 2-day Sunday sales permit authorizes the holder to sell beer for on-premises **AND OFF-PREMISES** consumption on not more than two Sundays in a year from 11 a.m. Sunday to 2 a.m. the following day.

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

9-2003.

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

(i) on Monday through Saturday from 7 a.m. to 2 a.m. the following day; and

(ii) on Sunday from 11 a.m. to [midnight] **2 A.M. THE FOLLOWING DAY** if the holder:

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

2. is issued a 2-day Sunday sales permit in accordance with paragraph (2) of this subsection.

(2) (i) The Board may issue a 2-day Sunday sales permit to a holder of a Class A beer and light wine license.

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

(iii) A 2-day Sunday sales permit authorizes the holder to sell beer and light wine for off-premises consumption on not more than two Sundays in a year from 11 a.m. to [midnight] **2 A.M. THE FOLLOWING DAY.**

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

(c) (1) Except as provided in § 9-2005 of this subtitle for December 31 and January 1, a holder of a Class C beer and light wine license may sell beer and light wine:

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

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

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

2. is issued a 2-day Sunday sales permit in accordance with paragraph (2) of this subsection.

(2) (i) The Board may issue a 2-day Sunday sales permit to a holder of a Class C beer and light wine license.

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

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

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

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

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

(ii) on Sunday, for on-premises **AND OFF-PREMISES** consumption, from 11 a.m. to 2 a.m. the following day if the holder[

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

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

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

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

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

(iii) A 2-day Sunday sales permit authorizes the holder to sell beer and light wine for on-premises **AND OFF-PREMISES** consumption on not more than two Sundays in a year from 11 a.m. Sunday to 2 a.m. the following day.

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

9-2004.

(a) (1) Except as provided in § 9-2005 of this subtitle for December 31 and January 1, a holder of a Class A beer, wine, and liquor license may sell beer, wine, and liquor for off-premises consumption:

(i) on Monday through Saturday from 7 a.m. to 2 a.m. the following day; and

(ii) on Sunday from 11 a.m. to [midnight] **2 A.M. THE FOLLOWING DAY** if the holder:

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

2. is issued a 2-day Sunday sales permit in accordance with paragraph (2) of this subsection.

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

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

(iii) A 2-day Sunday sales permit authorizes the holder to sell beer, wine, and liquor for off-premises consumption on not more than two Sundays in a year from 11 a.m. to [midnight] **2 A.M. THE FOLLOWING DAY.**

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

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

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

(ii) on Sunday, for on–premises **AND OFF–PREMISES** consumption, from 11 a.m. to 2 a.m. the following day if the holder:

1. pays an additional fee of \$250;

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

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

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

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

(iii) A 2–day Sunday sales permit authorizes the holder to sell beer, wine, and liquor for on–premises **AND OFF–PREMISES** consumption on not more than two Sundays in a year from 11 a.m. Sunday to 2 a.m. the following day.

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

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

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

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

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

2. is issued a 2-day Sunday sales permit in accordance with paragraph (2) of this subsection.

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

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

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

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

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

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

(ii) on Sunday, from 11 a.m. to 2 a.m. the following day if the holder[:

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

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

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

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

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

(iii) A 2-day Sunday sales permit authorizes the holder to sell beer, wine, and liquor for on-premises **AND OFF-PREMISES** consumption on not more than two Sundays in a year from 11 a.m. Sunday to 2 a.m. the following day.

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

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017.

Approved by the Governor, April 11, 2017.