

# HOUSE BILL 1585

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By: **Delegates Szeliga, Cluster, and Metzgar**  
Introduced and read first time: February 20, 2017  
Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore County – Alcoholic Beverages – Sunday Sales**

3 FOR the purpose of authorizing the Board of License Commissioners for Baltimore County  
4 to grant a Sunday permit to a holder of a Class A beer, wine, and liquor license for  
5 an additional permit fee to be established by the Board; establishing that the permit  
6 authorizes the holder to sell alcoholic beverages for off-premises consumption on  
7 Sunday during certain hours; submitting this Act to a referendum of the qualified  
8 voters of Baltimore County; requiring the Board to conduct a certain economic  
9 impact study within a certain time period and, under certain circumstances, to work  
10 with certain license holders in developing a fee for the Sunday permit and mitigating  
11 a certain impact; providing for a delayed effective date for certain provisions of this  
12 Act; and generally relating to sales of alcoholic beverages on Sundays in Baltimore  
13 County.

14 BY repealing and reenacting, without amendments,  
15 Article – Alcoholic Beverages  
16 Section 13–102  
17 Annotated Code of Maryland  
18 (2016 Volume and 2016 Supplement)

19 BY repealing and reenacting, with amendments,  
20 Article – Alcoholic Beverages  
21 Section 13–901 and 13–2004(a)  
22 Annotated Code of Maryland  
23 (2016 Volume and 2016 Supplement)

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**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 13-102.

2 This title applies only in Baltimore County.

3 13-901.

4 (a) There is a Class A beer, wine, and liquor license.

5 (b) (1) The license authorizes the license holder to sell beer, wine, and liquor  
6 at retail at the place described in the license.

7 (2) The license holder shall deliver the beer, wine, or liquor in a sealed  
8 container that may not be opened or its contents consumed on the licensed premises.

9 (c) A license may not be issued for any drugstore unless the applicant:

10 (1) has been doing business at the location applied for in the license for at  
11 least 1 year before the date of the application for the license;

12 (2) is the assignee of a business established for at least 1 year before the  
13 date of the application for the license at the location applied for; or

14 (3) has been engaged in the retail drug business for at least 3 years.

15 (d) (1) The annual license fee is \$900.

16 (2) **A SUNDAY PERMIT MAY BE GRANTED FOR AN ADDITIONAL FEE**  
17 **THAT THE BOARD SHALL ESTABLISH.**

18 13-2004.

19 (a) (1) A holder of a Class A beer, wine, and liquor license may sell beer, wine,  
20 and liquor on Monday through Saturday from 6 a.m. to midnight.

21 [(2) From 7 a.m. to 9 p.m., the license holder may sell beer, wine, and liquor  
22 on the Sunday immediately before:

23 (i) Christmas Day;

24 (ii) New Year's Day;

25 (iii) Rosh Hashanah; and

26 (iv) Yom Kippur.

27 (3) A license holder may sell beer, wine, and liquor on the two Sundays  
28 immediately before Passover if:

1 (i) the license holder does not sell beer, wine, and liquor on the two  
2 Saturdays immediately before Passover;

3 (ii) the off-premises sales are conducted on those Sundays from 6  
4 a.m. to midnight; and

5 (iii) the sales are limited to beer, wine, and liquor that are “kosher  
6 for Passover”.]

7 **(2) (I) THE BOARD MAY GRANT A SUNDAY PERMIT TO THE**  
8 **LICENSE HOLDER.**

9 **(II) THE PERMIT AUTHORIZES THE HOLDER TO SELL BEER,**  
10 **WINE, AND LIQUOR FOR OFF-PREMISES CONSUMPTION ON SUNDAY FROM 6 A.M. TO**  
11 **MIDNIGHT.**

12 SECTION 2. AND BE IT FURTHER ENACTED, That before Section 1 of this Act  
13 becomes effective it shall first be submitted to a referendum of the qualified voters of  
14 Baltimore County at the general election to be held in November of 2018. The County  
15 governing body and the Baltimore County Board of Elections shall do those things  
16 necessary and proper to provide for and hold the referendum required by this section. If a  
17 majority of the votes cast on the question are “For the referred law” the provisions of Section  
18 1 of this Act shall become effective on the 30th day following the official canvass of votes  
19 for the referendum, but if a majority of the votes cast on the question are “Against the  
20 referred law” the provisions of Section 1 of this Act are of no effect and null and void.

21 SECTION 3. AND BE IT FURTHER ENACTED, That, within 120 days after the  
22 provisions of Section 1 of this Act become effective, the Board of License Commissioners for  
23 Baltimore County shall:

24 (1) conduct a study to ascertain whether granting Sunday permits in  
25 accordance with Section 1 of this Act will result in any economic impact on the existing  
26 holders of licenses that allow Sunday sales of alcoholic beverages in Baltimore County; and

27 (2) if the Board determines that granting Sunday permits will result in a  
28 demonstrable economic impact on existing license holders, work with the license holders in  
29 developing a fee for the Sunday permit and mitigating the impact.

30 SECTION 4. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take  
31 effect October 1, 2018.

32 SECTION 5. AND BE IT FURTHER ENACTED, That, subject to the provisions of  
33 Sections 2 and 4 of this Act and for the sole purpose of providing for the referendum  
34 required by Section 2 of this Act, this Act shall take effect July 1, 2017.