

SENATE BILL 172

A2

8lr1565
CF 8lr2221

By: **Senator Hershey**

Introduced and read first time: January 15, 2018

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Kent County – Alcoholic Beverages – Sales in Restaurants**

3 FOR the purpose of repealing in Kent County the requirement that the average daily
4 receipts from the sale of food in a restaurant with a Class B beer, wine, and liquor
5 license be a certain percentage of the average daily receipts of the business; applying
6 to a restaurant in Kent County the provision requiring a restaurant to have average
7 daily receipts from the sale of food that exceed the average daily receipts from the
8 sale of alcoholic beverages; and generally relating to sales of alcoholic beverages in
9 Kent County.

10 BY repealing and reenacting, without amendments,
11 Article – Alcoholic Beverages
12 Section 1–101(a) and (x) and 24–102
13 Annotated Code of Maryland
14 (2016 Volume and 2017 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Alcoholic Beverages
17 Section 24–902
18 Annotated Code of Maryland
19 (2016 Volume and 2017 Supplement)

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

22 **Article – Alcoholic Beverages**

23 1–101.

24 (a) In this article the following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (x) (1) Subject to paragraph (2) of this subsection, “restaurant” means an
2 establishment that:

3 (i) accommodates the public;

4 (ii) is equipped with a dining room with facilities for preparing and
5 serving regular meals; and

6 (iii) has average daily receipts from the sale of food that exceed the
7 average daily receipts from the sale of alcoholic beverages.

8 (2) By regulation, a local licensing board may set a different standard as to
9 what constitutes a restaurant.

10 24–102.

11 This title applies only in Kent County.

12 24–902.

13 (a) There is a Class B beer, wine, and liquor license.

14 (b) [(1)] The Board may issue the license for use in a restaurant that:

15 [(i)] (1) is fully equipped with a proper and adequate dining room;

16 [(ii)] (2) has sufficient facilities for preparing and serving meals to
17 the public; and

18 [(iii)] (3) is approved by the Board.

19 [(2) When operating under the license, a holder’s average daily receipts
20 from the sale of food shall be at least 60% of the average daily receipts of the business.]

21 (c) On Sunday, the license holder may sell:

22 (1) beer, wine, and liquor for consumption on–premises if:

23 (i) the customer is seated at a table and not at a bar or on a bar
24 stool;

25 (ii) the alcoholic beverage is a supplement to the customer’s meal;
26 and

27 (iii) the total price of the alcoholic beverages does not exceed the total
28 price of the meal; and

1 (2) only beer and wine for off-premises consumption.

2 (d) The annual license fee is \$2,000.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
4 1, 2018.