

HOUSE BILL 298

A2

0lr0454

By: **Montgomery County Delegation**

Introduced and read first time: January 20, 2020

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: February 28, 2020

CHAPTER _____

1 AN ACT concerning

2 **Montgomery County – Alcoholic Beverages – Hours of Consumption**

3 **MC 09–20**

4 FOR the purpose of altering in Montgomery County the hours of consumption for certain
5 alcoholic beverages licenses; requiring a license holder to take certain actions at the
6 end of the license holder’s permitted hours of sale; repealing a provision that
7 prohibits the consumption after a certain time of alcoholic beverages that are served
8 under certain licenses; repealing a provision that authorizes the Board of License
9 Commissioners for Montgomery County to issue a certain permit that allows certain
10 license holders to extend their hours of sale on January 1; repealing certain obsolete
11 provisions; and generally relating to alcoholic beverages in Montgomery County.

12 BY repealing and reenacting, without amendments,

13 Article – Alcoholic Beverages

14 Section 25–102, 25–2002(e), 25–2004(b), (e), and (f), and 25–2005(c)

15 Annotated Code of Maryland

16 (2016 Volume and 2019 Supplement)

17 BY repealing and reenacting, with amendments,

18 Article – Alcoholic Beverages

19 Section 25–2001

20 Annotated Code of Maryland

21 (2016 Volume and 2019 Supplement)

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 BY repealing
2 Article – Alcoholic Beverages
3 Section 25–2006 and 25–2007
4 Annotated Code of Maryland
5 (2016 Volume and 2019 Supplement)

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

8 **Article – Alcoholic Beverages**

9 25–102.

10 This title applies only in Montgomery County.

11 25–2001.

12 (a) (1) Unless otherwise provided in this title, [from 2 a.m. to 6 a.m. on any
13 day,] an individual may [not] consume alcoholic beverages in a premises licensed under
14 this title **ONLY DURING THE HOURS OF SALE PERMITTED UNDER THE LICENSE OF**
15 **THE PREMISES.**

16 (2) An owner, an operator, or a manager of a premises licensed under this
17 title may not knowingly allow consumption prohibited under paragraph (1) of this
18 subsection.

19 **(3) A LICENSE HOLDER SHALL REMOVE ALL CONTAINERS OF**
20 **ALCOHOLIC BEVERAGES FROM THE TABLES AND BAR SERVICE AREA IN THE**
21 **LICENSED PREMISES AT THE END OF THE LICENSE HOLDER’S PERMITTED HOURS OF**
22 **SALE.**

23 (b) A person who violates this section is guilty of a misdemeanor and on conviction
24 is subject to a fine not exceeding \$50.

25 25–2002.

26 (e) A holder of a Class H beer license may sell beer on Monday through Sunday,
27 from 9 a.m. to 2 a.m. the following day.

28 25–2004.

29 (b) A holder of a Class B beer and wine license may sell beer and wine:

30 (1) for on–premises consumption, on Monday through Sunday, from 9 a.m.
31 to 2 a.m. the following day; and

1 (2) for off-premises consumption, on Monday through Sunday, from 6 a.m.
2 to 1 a.m. the following day.

3 (e) A holder of a Class D beer and wine license may sell beer and wine:

4 (1) for on-premises consumption, on Monday through Sunday, from 9 a.m.
5 to 2 a.m. the following day; and

6 (2) for off-premises consumption, on Monday through Sunday, from 6 a.m.
7 to 1 a.m. the following day.

8 (f) A holder of a Class H beer and wine license may sell beer and wine for
9 on-premises consumption on Monday through Sunday, from 9 a.m. to 2 a.m. the following
10 day.

11 25-2005.

12 (c) (1) Subject to paragraph (2) of this subsection, a holder of a Class B beer,
13 wine, and liquor license may sell beer, wine, and liquor:

14 (i) on Monday through Thursday, from 9 a.m. to 2 a.m. the following
15 day;

16 (ii) on Friday and Saturday, from 9 a.m. to 3 a.m. the following day;
17 and

18 (iii) on Sunday:

19 1. from 9 a.m. to 2 a.m. the following day; or

20 2. from 9 a.m. to 3 a.m. the following day if the federal
21 government has designated the following day as a public holiday.

22 (2) The license holder shall sell or make available food for consumption on
23 the premises during the hours that alcoholic beverages are permitted to be served.

24 [25-2006.

25 The Board may issue a permit authorizing a license holder to sell alcoholic beverages
26 for on-premises consumption until 2 a.m. on January 1 if the license holder applies to the
27 Board for the permit at least 60 days in advance.]

28 [25-2007.

29 (a) This section applies only to a licensed premises for which one of the following
30 licenses is issued:

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1 (1) a Class H beer license;

2 (2) a Class B, Class D, or Class H beer and wine license; or

3 (3) a Class B beer, wine, and liquor license.

4 (b) An individual may not consume alcoholic beverages in a licensed premises
5 from 1:30 a.m. to the time when the license holder may begin daily sales under the license.

6 (c) An owner or manager of the premises or place may not knowingly allow the
7 consumption of alcoholic beverages from 1:30 a.m. to the time when the license holder may
8 begin daily sales of alcoholic beverages under the respective license listed in this section.

9 (d) A license holder shall remove all containers of alcoholic beverages from tables
10 on the licensed premises:

11 (1) on Sunday through Thursday, before 1:30 a.m.; and

12 (2) on Friday and Saturday, before 2:30 a.m.]

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
14 1, 2020.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.