

HOUSE BILL 357

A2

2lr0678

By: **Prince George's County Delegation**

Introduced and read first time: January 19, 2022

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Alcoholic Beverages – Sunday Off-Sale Permits**

3 **PG 301–22**

4 FOR the purpose of repealing a provision of law limiting the issuance by the Board of
5 License Commissioners for Prince George's County of certain Sunday off-sale
6 permits to holders of a certain license acquired on or after a certain date; repealing
7 the limit on the number of Sunday off-sale permits that may be in effect at any one
8 time; and generally relating to Sunday off-sale alcoholic beverages permits in Prince
9 George's County.

10 BY repealing and reenacting, without amendments,
11 Article – Alcoholic Beverages
12 Section 26–102
13 Annotated Code of Maryland
14 (2016 Volume and 2021 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Alcoholic Beverages
17 Section 26–1104
18 Annotated Code of Maryland
19 (2016 Volume and 2021 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 26–102.

24 This title applies only in Prince George's County.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 26-1104.

2 (a) There is a Sunday off-sale permit.

3 (b) (1) [(i) Subject to subsection (f) of this section and subparagraphs (ii)
4 and (iii) of this paragraph and except] **EXCEPT** as provided in paragraph (2) of this
5 subsection, the Board may issue the permit to the holder of:

6 [1.] **(I)** any Class A license; or

7 [2.] **(II)** any Class B license with an off-sale privilege.

8 [(ii) Five Sunday off-sale permits may be issued only to holders of a
9 Class B beer, wine, and liquor license with an off-sale privilege that acquired the license
10 on or after January 1, 2016.

11 [(iii) Sunday off-sale permits may be issued to holders of a Class A
12 beer, wine, and liquor license that acquired the license on or after January 1, 2016.]

13 (2) The Board may not issue a Sunday off-sale permit to a license holder
14 that the Board finds to have sold liquor on Sunday without a Sunday off-sale permit.

15 (c) The permit authorizes the holder to sell alcoholic beverages for off-premises
16 consumption on Sunday from 8 a.m. to midnight.

17 (d) (1) Except as provided in paragraph (2) of this subsection, an applicant for
18 the permit shall commit in the application to spending a minimum of \$50,000 to
19 rehabilitate and renovate the interior or exterior of the licensed premises within 1 year
20 after the permit is issued.

21 (2) The Board shall waive the spending requirement for a holder of a Class
22 B beer, wine, and liquor license with an off-sale privilege that acquired the license on or
23 after January 1, 2016, if the holder can show through receipts that a minimum of \$50,000
24 was spent to rehabilitate and renovate the interior or exterior of the licensed premises
25 within the 3-year period immediately preceding the submission of the application.

26 (3) The Board shall revoke the permit and impose a fine on the permit
27 holder not exceeding \$5,000 if:

28 (i) the Board did not waive the spending requirement under
29 paragraph (2) of this subsection; and

30 (ii) the permit holder fails to spend the money as required, evidenced
31 by receipts for work done and inspections of the licensed premises.

1 (e) If the permit is issued to the holder of a Class B license with an off-sale
2 privilege, the holder need not comply with any restaurant or food requirement.

3 (f) [Not more than 105 Sunday off-sale permits may be in effect at any one time.

4 (g) The Board shall adopt regulations to implement the spending requirements
5 under subsection (d) of this section.

6 [(h)] (G) (1) The application fee for the permit is \$750.

7 (2) The annual fees for the permit are:

8 (i) \$2,590 for the holder of a Class A license; and

9 (ii) \$1,080 for the holder of a Class B license with an off-sale
10 privilege.

11 (3) The fees listed in paragraphs (1) and (2) of this subsection are in
12 addition to the annual fee for the Class A license or Class B license to which it is attached.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
14 1, 2022.