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**By: Montgomery County Delegation**

Introduced and read first time: February 1, 1996

Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County - Alcoholic Beverages**  
3 **(Dispensary System)**  
4 **MC 615-96**

5 FOR the purpose of terminating in Montgomery County the alcoholic beverages  
6 dispensary system and the Department of Liquor Control; repealing certain powers,  
7 duties, and obligations of the Department of Liquor Control and the Liquor Control  
8 Board; providing for a certain termination date for the retail dispensary system,  
9 subject to a certain contingency; providing for a certain termination date for the  
10 wholesale dispensary system, subject to a certain contingency; authorizing the  
11 Department of Liquor Control to terminate the dispensary system, liquidate the  
12 stock, and distribute the profits; providing for a delayed effective date; and  
13 generally relating to the termination of the alcoholic beverages dispensary system  
14 and the control of sales of alcoholic beverages in Montgomery County.

15 BY repealing

16 Article 2B - Alcoholic Beverages  
17 Section 12-216, 15-205(k), 15-206(d), 15-207(e), and 15-209  
18 Annotated Code of Maryland  
19 (1994 Replacement Volume and 1995 Supplement)

20 BY repealing and reenacting, without amendments,

21 Article 2B - Alcoholic Beverages  
22 Section 15-207(a)  
23 Annotated Code of Maryland  
24 (1994 Replacement Volume and 1995 Supplement)

25 BY repealing and reenacting, with amendments,

26 Article 2B - Alcoholic Beverages  
27 Section 15-201 through 15-204, 15-205(a), 15-208, and 15-210  
28 Annotated Code of Maryland  
29 (1994 Replacement Volume and 1995 Supplement)

30 BY adding to

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1 Article 2B - Alcoholic Beverages  
2 Section 18-202 to be under the amended subtitle "Subtitle 2. Local Transitions"  
3 Annotated Code of Maryland  
4 (1994 Replacement Volume and 1995 Supplement)  
5 (As enacted by Chapter 523 of the Acts of the General Assembly of 1995)

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

8 **Article 2B - Alcoholic Beverages**

9 [12-216.

10 (a) In Montgomery County the holders of beer licenses, Classes A, B,C, and D  
11 and beer and light wine licenses, Classes B, C, and D and beer, wine and liquor licenses,  
12 Classes B and C, shall not be authorized to sell any alcoholic beverages, except those  
13 purchased from the Board of Liquor Control for Montgomery County.

14 (b) It shall be unlawful for any druggist or apothecary using or dispensing  
15 alcoholic beverages under the provisions of this article to use or dispense any such  
16 beverages except those purchased from the Liquor Control Board for Montgomery  
17 County. If any person, persons, house, company, association or body corporate shall  
18 violate any of the provisions of this subsection, he, she, it or they shall, upon each and  
19 every conviction, forfeit and pay a fine of not less than one hundred dollars (\$100.00) nor  
20 more than two thousand dollars (\$2,000.00), and the cost of prosecution and be confined  
21 in the Maryland House of Correction for not less than three months nor more than two  
22 years or both fine and imprisonment in the discretion of the court.]

23 15-201.

24 (a) There is hereby constituted and established in each county a liquor control  
25 board, to be appointed and to have the tenure, compensation, powers and duties as  
26 provided in this subtitle; provided that in Montgomery County there is hereby  
27 constituted and established, effective July 1, 1951, a Department of Liquor Control, which  
28 shall be a department of the County government under the general supervision of the  
29 chief administrative officer, and which shall have the powers of a liquor control board as  
30 defined in § 15-205 of this subtitle. Whenever used in this subtitle the words "liquor  
31 control board" or "board" shall be construed to apply to the Department of Liquor  
32 Control in Montgomery County whenever such construction would be reasonable].

33 (b) Except in Harford County, the liquor control board shall consist of three  
34 members in each county. Those persons who are members of the respective boards on  
35 June 1, 1947, shall continue as such for the balance of the period for which they may have  
36 been appointed or elected, according to the terms and conditions of their original  
37 appointment or election. [ Provided that in Montgomery County, effective July 1, 1951,  
38 there is hereby created the position of Director of the Department of Liquor Control,  
39 who shall be the chief administrative officer of said Department of Liquor Control.] In  
40 Harford County, the Liquor Control Board consists of 5 members.

41 (c) (1) The members of the respective boards shall be appointed by the  
42 Governor with the advice and consent of the Senate.

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1 (2) In Somerset County Board members shall be appointed by the  
2 Governor.

3 (3) (i) Nominees shall be selected for vacancies on the Harford County  
4 Liquor Control Board with consideration given to geographical representation.

5 (ii) The appointment process to fill vacancies on the Harford County  
6 Liquor Control Board is as follows:

7 1. The County executive shall present a list of nominees to the  
8 Harford County Delegation to the Maryland General Assembly for their advice and  
9 consent. The list shall contain a minimum of 3 names for each vacancy and be presented  
10 60 days prior to the occurrence of the vacancy;

11 2. Within 7 working days from the receipt of the list from the  
12 County executive, the Harford County Delegation shall consent by approving the  
13 nominees or by deleting names from the list of nominees. If the delegation fails to act on  
14 the list within the 7 working day period, all of the nominees are, by operation of the law,  
15 automatically consented to as originally submitted by the County executive;

16 3. Within 7 working days of the receipt of the list that was acted  
17 upon by the delegation, the County executive may replace any nominee that was deleted  
18 by the delegation and may resubmit the list for delegation approval in accord with  
19 subparagraph 2 of this paragraph;

20 4. The County executive shall submit 1 of the nominees for each  
21 vacancy to the County Council for its advice and consent.

22 (4) In Garrett County, the members of the Board shall be appointed by the  
23 Governor. He shall appoint two members of the Board who are members of that political  
24 party which has elected a majority of the members of the Board of County Commissioners  
25 and one member of the Board from that political party other than the one electing a  
26 majority of the Board of County Commissioners. The appointments shall be confirmed by  
27 the House of Delegates if there is no resident Senator elected from the County.

28 (5) Repealed.

29 (6) In Garrett and Harford Counties the Board shall also be known as the  
30 Board of License Commissioners of these respective Counties, upon which shall be  
31 devolved all the duties and rights given elsewhere in this article.

32 [(7) In Montgomery County, the director of the Department of Liquor  
33 Control shall be appointed by the County executive with the approval of the County  
34 Council. The director of the Department of Liquor Control serves at the pleasure of the  
35 County executive. There is also an advisory board which consists of five members who  
36 shall be appointed and removed by the County executive with the approval of the County  
37 Council. All members shall be residents of Montgomery County, and of the five members,  
38 only one shall be a bona fide holder of either a Class B or C beer, wine and liquor license  
39 in Montgomery County and only one shall be a bona fide license holder of any other class  
40 license in Montgomery County. The members of the Board may not receive any  
41 compensation, but are entitled to necessary expenses in connection with their duties. Of  
42 the members first appointed, one shall serve a term of two years from June 1, 1976, two

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1 shall serve a term of three years from June 1, 1976, two shall serve a term of four years  
2 from June 1, 1976, and their successors shall fill the unexpired portion of the term or four  
3 years for the new term as the case may be. The Board shall have three ex officio members  
4 including the director of the Department of Liquor Control, the superintendent of police  
5 and the chairman of the Board of License Commissioners. The advisory board shall  
6 report to the County executive periodically but at least quarterly on recommendations for  
7 the improvement of the alcoholic beverages control and enforcement activities of the  
8 County and of the operations of the dispensary and distribution systems from the  
9 standpoint of efficiency, service and convenience to the public.]

10 (d) In computing the time at which appointments to the several boards normally  
11 expire, and when new terms of office begin, the following dates shall be used:

12 (1) Harford County -- First Monday in April, 1941. One appointment shall  
13 expire each year.

14 [(2) Montgomery County -- May 1, 1945. Provided that the members whose  
15 terms expire on May 1, 1951, shall continue in office until July 1, 1951, or until the  
16 Department of Liquor Control is established.]

17 [(3)] (2) Somerset County -- June 1, 1943.

18 [(4)] (3) Wicomico County -- July 1, 1977.

19 [(5)] (4) Worcester County -- June 1, 1975. Initial appointments shall be  
20 for two, three and four years. Their successors shall be appointed to regular four-year  
21 terms.

22 [(6)] (5) Garrett County -- June 1, 1966. Initial appointments shall be for  
23 two, four and six years.

24 (e) (1) Except as provided in paragraph (2) of this subsection, members of the  
25 boards shall serve for a term of two years.

26 (2) Members of the boards in the following counties shall serve for terms as  
27 specified:

28 (i) Garrett County.....6 years

29 (ii) Harford County.....3 years

30 (iii) Somerset County.....4 years

31 (iv) Worcester County.....4 years

32 (f) Members appointed to the several boards shall be residents and voters of the  
33 county in which appointed, and shall be persons of high character, integrity, and  
34 recognized business capacity. In Harford County they shall also be taxpayers of said  
35 County. [In Montgomery County, qualifications of the director of the Department of  
36 Liquor Control shall be determined by the County executive.] In Garrett County no  
37 person may be appointed to the Board who is then serving as a County Commissioner for  
38 the County and no person may be appointed to the Board who is receiving any other  
39 compensation from the County.

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1 (g) The board in each county shall organize by electing its own chairman.

2 (h) Members of the several boards shall receive compensation as follows:

3 (1) Garrett County -- The salary of the members of the Liquor Control  
4 Board of Garrett County shall be set by the County Commissioners in accordance with  
5 Chapter 91 of the Public Local Laws of Garrett County. Each member is entitled to a  
6 mileage fee in amounts equal to the mileage fees provided for in the Standard State  
7 Travel Regulations when attending meetings.

8 (2) In Harford County:

9 (i) The Chairman of the Board shall receive an annual compensation  
10 of \$3,000;

11 (ii) Each member of the Board shall receive an annual compensation  
12 of \$2,700; and

13 (iii) The chairman and each member of the Board shall receive any  
14 additional compensation that the County Council deems appropriate.

15 (3) Repealed.

16 [(4) Montgomery County -- The salary of the Director of the Department of  
17 Liquor Control shall be fixed by the County Executive with the approval of the County  
18 Council.]

19 [(5)] (4) In Somerset County:

20 (i) The chairman \$2,500 annually; and

21 (ii) Each member \$2,000 annually.

22 [(6)] (5) Wicomico County -- \$2,000 per annum, and a salary of \$2,500 per  
23 annum for the Chairman of the Board.

24 [(7)] (6) Worcester County -- The Worcester County Liquor Control Board  
25 shall receive the salary set by the Worcester County Commissioners, but which may not be  
26 less than \$2,500, and a mileage fee when attending meetings of the Board.

27 (i) (1) Except as otherwise provided in this subsection, the Board shall meet as  
28 frequently as in their respective opinions may be necessary for the public business.

29 (2) In Worcester County they shall meet at least once each week; in  
30 Somerset County they shall meet at least twice each month.

31 (3) In Harford County they shall meet at least fifty times each year, but the  
32 chairman may cancel any of those meetings for lack of an agenda.

33 [(4) In Montgomery County, the director of the Department of Liquor  
34 Control shall devote all his time to the duties of his office.]

35 [(5)] (4) In Garrett County the Board shall meet at least once each month.

1 (j) In case of a vacancy on an appointive board for any reason whatever, it shall  
2 be filled for the unexpired term in the same manner as the original appointment; except  
3 that in Worcester County the vacancy shall be filled by the Governor with the advice and  
4 consent of the Senate.

5 (k) In Harford County the members of the Board shall each give a bond to the  
6 County in an amount to be prescribed from time to time by the County Executive and  
7 County Council for the faithful performance of the duties of their office, the premium on  
8 said bonds to be paid by the Board from the gross receipts derived from the operation of  
9 the dispensaries.

10 15-202.

11 (a) For the purpose of providing the liquor control board with an adequate  
12 working capital for acquiring, establishing and operating a county dispensary, or branch  
13 dispensaries, together with warehouse facilities, as found necessary under this subtitle,  
14 the board of county commissioners of each county is hereby authorized and empowered  
15 from time to time to advance a sum of money to the liquor control board of such county.  
16 Said board of county commissioners is hereby authorized and empowered to borrow upon  
17 the credit of the county in order to advance such moneys to said liquor control board,  
18 issuing therefor such notes, certificates of indebtedness and/or bonds as in the discretion  
19 of the board of county commissioners are found necessary.

20 (b) (1) The liquor control board may borrow money from time to time from any  
21 banking institution on its own credit.

22 (2) The aggregate sum advanced to or borrowed by the liquor control board  
23 may not exceed the following amounts:

24 (i) Harford County - \$75,000

25 (ii) Somerset County - \$50,000

26 (iii) Wicomico County - \$25,000

27 (iv) Worcester County - \$500,000.

28 (c) (1) The interest rate limitation provided in paragraph (2) of this subsection  
29 does not apply in the following jurisdictions:

30 (i) Harford County;

31 (ii) Somerset County; and

32 (iii) Worcester County.

33 (2) All funds advanced to the liquor control board by the county  
34 commissioners, and all funds borrowed by the county commissioners or the liquor control  
35 board for the purposes of this subtitle, shall bear interest at the lowest rate possible, not  
36 exceeding 6 percent a year. All these sums advanced or borrowed, together with the  
37 interest on them, shall be repaid from the receipts from sales made at the county liquor  
38 dispensary, or branch dispensaries.  
23 may not ex

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1 (3) In Worcester County, any borrowed funds expended for the use of  
2 supplies or equipment are to be amortized over a term of five years.

3 [(d) The provisions of this section shall not apply to the Department of Liquor  
4 Control of Montgomery County, provided that nothing herein shall be construed to affect  
5 the validity of any notes, certificates of indebtedness and/or bonds, or obligations of any  
6 kind which may have been heretofore incurred by the Liquor Control Board of  
7 Montgomery County.]

8 15-203.

9 (a) (1) The liquor control boards may establish and maintain stores to be known  
10 as "county liquor dispensaries", for the sale of any sparkling or fortified wine and any  
11 other alcoholic beverages containing more than 14 percent of alcohol byvolume, in sealed  
12 packages or containers. These packages or containers may not be opened nor their  
13 contents consumed upon the premises where sold.

14 [(2) In Montgomery County they may sell any alcoholic beverages.]

15 [(3)] (2) In the following counties they may sell any alcoholic beverages  
16 except beer:

17 (i) Somerset; and

18 (ii) Worcester.

19 (a-1) In Garrett County liquor dispensaries may be established and maintained in  
20 Grantsville (district No. 3) and in Oakland (district No. 7). The dispensaries are  
21 authorized to make Class A or "off-sales" of wine and liquor. All liquor and wines sold by  
22 Class B and C (on-sale) beer, wine and liquor licenses may be purchased from a Garrett  
23 County liquor dispensary or any licensed wholesale supplier. If the Garrett County Liquor  
24 Control Board maintains County liquor dispensaries, any licensee, except the holders of  
25 special Class D licenses, having wine or liquor in his possession on the licensed premises  
26 which is not purchased from a Garrett County liquor dispensary shall suffer a revocation  
27 of his license for the sale of beer, wine and liquor unless the licensee reports these  
28 purchases, and pays to the Liquor Control Board that sum of money which the Board  
29 would charge the licensee for similar purchases, less the actual amount paid for the  
30 purchases. The Board is authorized to inspect the premises of all holders of Class B and  
31 C licenses in the County to determine their compliance with all laws applicable to the sale  
32 of beer, wines and liquors in the County.

33 (b) Repealed.

34 (c) Repealed.

35 (d) [In Montgomery County the County liquor dispensaries may be established at  
36 one or more locations determined by the Director of the Department of Liquor Control  
37 with the approval of the County Executive.

38 (e) In Somerset County the County liquor dispensaries may be established and  
39 maintained only at Crisfield, in the West Princess Anne election district, and in Dublin  
40 election district.

1 [(f)] (E) In Worcester County the County liquor dispensaries may be established  
2 and maintained only at Pocomoke City, Snow Hill, Berlin and Ocean City, and in any  
3 rural areas that may be approved by the Liquor Control Board and the County  
4 Commissioners of Worcester County.

5 15-204.

6 (a) The liquor control board in each county shall have an absolute monopoly of  
7 the sale and distribution of the particular alcoholic beverages which elsewhere in this  
8 subtitle it is empowered to sell.

9 [(b) Provided, that in Montgomery County no person, firm, or corporation shall  
10 keep for sale any alcoholic beverage not purchased from the Department of Liquor  
11 Control for Montgomery County, provided, however, that nothing in this subsection shall  
12 apply to holders of Class F licenses, to the holder of a wholesaler's license or a beer  
13 wholesaler's license who shall not sell or deliver any alcoholic beverage in Montgomery  
14 County for resale except to a County liquor dispensary.]

15 (c) Repealed.

16 (d) In Wicomico County, the County dispensaries shall make wholesales of all  
17 liquors at a markup of not more than 15 percent above the operating cost to the  
18 dispensary to any licensee of a Class A, B, or C beer, wine and liquor license.

19 15-205.

20 The liquor control board of each county shall have full power and authority within  
21 its county:

22 (a) (1) [(i)] To appoint such employees as may be necessary to conduct such  
23 county liquor dispensary or branch dispensaries, fix their compensation and require such  
24 bonds for the faithful performance of their duties as the board may in each case  
25 determine.

26 [(ii) In Montgomery County, effective July 1, 1951, the positions of  
27 General Manager and Treasurer of the Liquor Control Board are hereby abolished. All  
28 existing employees of the Board, except those whose positions are abolished herein, shall  
29 be entitled to continue to be employed on probation of six months duration at their  
30 existing salaries subject to passing qualifying examinations and regulations of the County  
31 Personnel Board. All employees of the Department except the Director shall be  
32 appointed and hold their positions subject to the regulations. The office of the County  
33 Attorney shall furnish legal services to the Department.]

34 (2) This paragraph applies only to Garrett County. The position of clerk of  
35 the Board of License Commissioners is abolished as of July 1, 1987. The County  
36 Commissioners shall provide administrative, clerical, and accounting services to the  
37 Board of License Commissioners as are needed in the execution of their duties under the  
38 provisions of this article. The County Commissioners shall provide legal counsel to the  
39 Board of License Commissioners through the office of the County Attorney or bear the  
40 expense of competent private legal counsel for the Board.

41 [(k) (1) In Montgomery County, in addition to the powers already enumerated in  
42 this section, which powers are subject to the approval of the County Executive, the

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1 director of the Department of Liquor Control shall have power to acquire, with the  
2 approval of the County Executive, by lease, purchase or otherwise, such real or personal  
3 property as may be deemed necessary by the director to operate dispensaries, stores or  
4 warehouses. He may acquire, by purchase or otherwise, any alcoholic beverages from any  
5 source for resale. Except for purchases of merchandise for resale, all purchases shall be  
6 made through the County purchasing office.

7 (2) Effective July 1, 1951, the title to all real and personal property now  
8 used by or in the name of the Liquor Control Board, including money in banks, credits,  
9 accounts receivable, trucks, automobiles, equipment, stock in trade, leases, franchises,  
10 contracts and the title to the liquor dispensary building located in Silver Spring,  
11 Maryland, more particularly described in a deed dated July 27, 1943, and recorded among  
12 the land records of Montgomery County in Liber 917, folio 156, shall be and is hereby  
13 vested in Montgomery County, Maryland. Nothing in this subtitle shall be construed to  
14 impair the validity of any outstanding contracts or obligations of any nature to which the  
15 Liquor Control Board has heretofore become a party.]

16 15-206.

17 [(d) In Montgomery County the Department of Finance shall keep accurate  
18 records of all purchases of alcoholic beverages, and also shall prepare and forward to the  
19 County Council and the County Executive of Montgomery County an annual report for  
20 the prior fiscal year.]

21 15-207.

22 (a) Profits and reserves shall be accounted for as follows:

23 [(e) All moneys derived from the sale of alcoholic beverages shall be deposited in  
24 a bank or banks located within Montgomery County in the name of Montgomery County,  
25 Maryland, and such money shall be disbursed by the Director of Finance in the same  
26 manner as other County funds. There shall be an adequate balance of working capital  
27 within the County's Liquor Control Fund as determined by the Director of the  
28 Department of Liquor Control and the Director of Finance and shall be subject to the  
29 approval of the County Executive. The amount of the working capital shall be adequate to  
30 provide for the continued operation of the dispensary system. The net profits derived  
31 from the sale of alcoholic beverages shall be applied in the first instance toward the  
32 payment of current interest and retirement charges on such notes, certificates of  
33 indebtedness and/or bonds as may be issued by the County Council for the purpose of  
34 raising funds for the establishment and operation of the dispensary system. Secondly, the  
35 net proceeds shall be applied to the maintenance of adequate working capital. Thirdly,  
36 the balance of the net proceeds shall be deposited as general funds of Montgomery  
37 County.]

38 15-208.

39 [(a)] No member or employee of a liquor control board shall have any financial  
40 interest, directly or indirectly, in the manufacture of any alcoholic beverage, or in any  
41 alcoholic beverage purchased or sold under the provisions of this article or derive any  
42 profit or remuneration from the purchase or sale of any such beverage other than the  
43 salary or wages payable for the discharge of the duties of the office or position, as herein  
44 prescribed or authorized.

1 Any member of the board, or any employee of said board, violating the provisions of  
2 this subsection shall, upon conviction, be subject to a fine not exceeding two thousand  
3 dollars (\$2,000.00) or to imprisonment, not exceeding three years, or both fine and  
4 imprisonment, in the discretion of the court.

5 [(b) (1) In Montgomery County, an employee of the Department of Liquor  
6 Control for Montgomery County, a member of the Montgomery County Council, or the  
7 Montgomery County Executive may not have any financial interest, directly or indirectly,  
8 in the sale, manufacture, blending, brewing, distilling, rectifying or wholesaling of any  
9 alcoholic beverage purchased or sold under the provisions of this article. An employee of  
10 the Department of Liquor Control may not have any interest in any license issued under  
11 the provisions of this article. An employee of the Department of LiquorControl may not  
12 solicit or receive directly or indirectly, any fee, commission, gratuity, emolument,  
13 remuneration, reward, present or sample of any alcoholic beverage, fromany person,  
14 partnership, firm or corporation, agents, servants or employees, engaged in the sale,  
15 manufacture, blending, brewing, distilling, rectifying, wholesaling or distribution of  
16 alcoholic beverages, or any licensee licensed under the provisions of this article, or to  
17 derive any profit or remuneration from the purchase or sale of any suchbeverage other  
18 than the salary or wages payable by the County for the discharge of theduties as herein  
19 prescribed or authorized.

20 (2) In Montgomery County, a person, firm, association or corporation,  
21 engaged in the manufacture, sale, blending, brewing, distilling, rectifying, wholesaling or  
22 distribution of alcoholic beverages (or any agent, servant, or employeethereof), and a  
23 licensee (or employee thereof) licensed under the provisions of this article, may not  
24 directly or indirectly offer, pay or give any fee, emolument, remuneration, reward,  
25 present, commission, gratuity, or sample of any alcoholic beverages or make any gift of  
26 any value whatever to any employee of the Department of Liquor Control for  
27 Montgomery County, or any member of the Montgomery County Council, or the  
28 Montgomery County Executive.

29 (3) This subsection does not prevent any manufacturer, brewer, wholesaler  
30 or dealer in alcoholic beverages now selling or in the future attempting to sell or selling  
31 alcoholic beverages to the Department of Liquor Control from giving anddelivering  
32 samples of alcoholic beverages to the Department. Any person, firm or corporation  
33 delivering samples of alcoholic beverages to the Department shall obtain an official  
34 receipt, signed by the Director of the Department of Liquor Control, stating in detail the  
35 amount and description of the sample, which samples, when so received, shall be  
36 inventoried and sold as are other beverages purchased by the Department.

37 (4) Subject to the provisions of the Montgomery County Public Ethics Law,  
38 the Department of Liquor Control may grant exceptions to the restrictions of this  
39 subsection relating to dual employment by employees of the Department of Liquor  
40 Control whose employment by an alcoholic beverages licensee directly relates to the  
41 performing arts.

42 (5) Any person, firm, association, corporation or licensee violating the  
43 provisions of this subsection shall be fined not more than \$5,000 or imprisoned not more  
44 than 12 years, or both.]

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1 15-209.

2 [The Department of Liquor Control for Montgomery County shall have the  
3 immunity from liability described under § 5-318 of the Courts and Judicial Proceedings  
4 Article.]

5 15-210.

6 This subtitle shall apply to Garrett, Harford, [Montgomery,] Kent, Somerset,  
7 Wicomico and Worcester Counties.

8 Subtitle 2. [Dorchester County Transition] LOCAL TRANSITIONS

9 18-202.

10 (A) THIS SECTION APPLIES ONLY IN MONTGOMERY COUNTY.

11 (B) THE RETAIL DISPENSARY SYSTEM SHALL REMAIN IN OPERATION UNTIL  
12 SUCH TIME AS THE GENERAL ASSEMBLY ENACTS A COMPREHENSIVE PLAN OF  
13 LEGISLATION THAT CREATES A RATIONAL SYSTEM OF RETAIL ALCOHOLIC  
14 BEVERAGES LICENSES FOR THE COUNTY.

15 (C) THE WHOLESALE DISPENSARY SYSTEM SHALL REMAIN IN OPERATION  
16 UNTIL SUCH TIME AS THE GENERAL ASSEMBLY ENACTS A COMPREHENSIVE PLAN OF  
17 LEGISLATION THAT CREATES A RATIONAL SYSTEM OF WHOLESALE ALCOHOLIC  
18 BEVERAGES LICENSES FOR THE COUNTY.

19 SECTION 2. AND BE IT FURTHER ENACTED, That on October 1, 1997,  
20 subject to the provisions of Article 2B, § 18-202 of the Code as enacted by this Act, the  
21 retail dispensary system in Montgomery County shall be terminated.

22 SECTION 3. AND BE IT FURTHER ENACTED, That, on October 1, 2000,  
23 subject to the provisions of Article - 2B, § 18-202 of the Code as enacted by this Act, the  
24 wholesale dispensary system in Montgomery County shall be terminated.

25 SECTION 4. AND BE IT FURTHER ENACTED, That the Department of Liquor  
26 Control for Montgomery County shall terminate on October 1, 2000, but shall remain in  
27 effect after its termination only for purposes of terminating the dispensary system,  
28 liquidating the stock, and distributing the profits after payment of expenses and debts.  
29 Any reserve fund shall be distributed and deposited into the general funds of  
30 Montgomery County. Once these purposes have been met, the Department of Liquor  
31 Control for Montgomery County shall cease to exist, subject to the provisions of Article -  
32 2B, Article - 2B, § 18-202 of the Code, as enacted by this Act.

33 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect  
34 October 1, 1996.