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**By: Senator Hafer**

Introduced and read first time: February 2, 1996

Assigned to: Economic and Environmental Affairs

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A BILL ENTITLED

1 AN ACT concerning

2       **Garrett County - Alcoholic Beverages**  
3       **(Sunday Class B and C Sales)**

4 FOR the purpose of providing for Sunday sales of certain alcoholic beverages in Garrett  
5 County; specifying the terms and conditions of the sales; providing for a local  
6 referendum and an effective date; and generally relating to alcoholic beverages in  
7 Garrett County.

8 BY adding to  
9 Article 2B - Alcoholic Beverages  
10 Section 11-403(a)(7)  
11 Annotated Code of Maryland  
12 (1994 Replacement Volume and 1995 Supplement)

13 BY repealing and reenacting, with amendments,  
14 Article 2B - Alcoholic Beverages  
15 Section 11-403(b)(5) and 11-512  
16 Annotated Code of Maryland  
17 (1994 Replacement Volume and 1995 Supplement)

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

20       **Article 2B - Alcoholic Beverages**

21 11-403.

22       (a) (7) IN GARRETT COUNTY, SUNDAY SALES ARE GOVERNED BY § 11-512  
23 OF THIS ARTICLE.

24       (b) (5) (I) THIS PARAGRAPH APPLIES ONLY IN [In] Garrett County[,  
25 however, Sunday sales when].

26       (II) WHEN New Year's Eve or New Year's Day fall on a Sunday, SALES  
27 shall be governed by § 11-402(j) of this article.

28       (III) PROVISIONS FOR SUNDAY SALES FOR CLASS B AND C  
29 LICENSEES ARE GOVERNED BY § 11-512 OF THIS ARTICLE.

2

1 11-512.

2 (A) [In] THIS SECTION APPLIES ONLY IN Garrett County[, notwithstanding].

3 (B) (1) NOTWITHSTANDING any other provisions of this subtitle and except on  
4 Sundays and New Year's Day, holders of any class of on- or off-sale licenses issued under  
5 this article[, including a holder of a Class E steamboat license issued by the State  
6 Comptroller's Office for use on all State waters located within Garrett County,] may sell  
7 the alcoholic beverages authorized under their respective license from 6 a.m. to 2 a.m. the  
8 following day, but may not sell alcoholic beverages between the hours of 2 a.m. and 6 a.m.  
9 on any day of the week or, UNLESS AUTHORIZED UNDER SUBSECTION (C) OF THIS  
10 SECTION, at any time on Sunday after 2 a.m.

11 (2) THE PROVISIONS OF THIS SUBSECTION APPLY TO A HOLDER OF A  
12 CLASS E STEAMBOAT LICENSE ISSUED BY THE STATE COMPTROLLER'S OFFICE FOR  
13 USE ON ALL STATE WATERS LOCATED WITHIN THE COUNTY.

14 (3) However, this section is subject to the provisions of § 11-402(j) of this  
15 article regarding sales on New Year's Eve or New Year's Day regardless of the day of the  
16 week on which December 31 and January 1 fall.

17 (C) (1) THE PROVISIONS OF THIS SUBSECTION APPLY ONLY IN THOSE  
18 ELECTION DISTRICTS WHICH AUTHORIZE THEM.

19 (2) THIS SUBSECTION ONLY APPLIES TO ON-PREMISES SALES BY  
20 HOLDERS OF CLASS C SERVICE CLUB LICENSES AND, SUBJECT TO PARAGRAPH (4) OF  
21 THIS SUBSECTION, HOLDERS OF CLASS B LICENSES.

22 (3) SUNDAY SALES MAY BEGIN, WHERE PERMITTED, AT 1 P.M. AND  
23 CONTINUE UNTIL 10 P.M.

24 (4) (I) THIS PARAGRAPH DOES NOT APPLY TO A HOLDER OF A CLASS  
25 C SERVICE CLUB LICENSE.

26 (II) SUNDAY SALES MAY BE MADE ONLY WHEN THE CONSUMER  
27 PLACES AN ORDER FOR A MEAL SIMULTANEOUSLY OR PRIOR TO PLACING AN  
28 ORDER FOR AN ALCOHOLIC BEVERAGE OR THE CONSUMER IS OTHERWISE  
29 ENTITLED TO A MEAL ON THE PREMISES AS PART OF A PREARRANGED EVENT, SUCH  
30 AS A BANQUET, WHERE THE ALCOHOLIC BEVERAGE IS SERVED. BAR OR COUNTER  
31 SALES MAY BE MADE AS LONG AS THE CONSUMER COMPLIES WITH THE  
32 REQUIREMENT OF THIS PARAGRAPH.

33 SECTION 2. AND BE IT FURTHER ENACTED, That before this Act becomes  
34 effective it shall first be submitted to a referendum of the legally qualified voters of each  
35 election district in Garrett County at the general election to be held in November, 1996.  
36 The Board of County Commissioners and the Board of Supervisors of Elections of  
37 Garrett County shall do those things necessary and proper to provide for and hold the  
38 referendum required by this section. If a majority of the votes cast in each election district  
39 on the question are "For the referred law" the provisions of this Act shall become  
40 effective in those election districts on December 14, 1996, but if a majority of the votes  
41 cast in a particular election district on the question are "Against the referred law" the  
42 provisions of this Act are of no effect and null and void in that election district.

1           SECTION 3. AND BE IT FURTHER ENACTED, That, subject to the provisions  
2 of Section 2 of this Act and for the sole purpose of providing for the referendum required  
3 by Section 2, this Act shall take effect July 1, 1996.