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**By: Montgomery County Delegation**

Introduced and read first time: January 31, 1997

Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County - Alcoholic Beverages**  
3 **(Retail Dispensary System)**  
4 **MC 734-97**

5 FOR the purpose of authorizing the Montgomery County Board of License  
6 Commissioners to issue Class A-2 beer, wine and liquor licenses; providing for the  
7 licenses; providing for the issuance, renewal, and transferability of the license in a  
8 certain area; and generally relating to Class A-2 licenses and alcoholic beverages in  
9 general in Montgomery County.

10 BY adding to

11 Article 2B - Alcoholic Beverages  
12 Section 6-103  
13 Annotated Code of Maryland  
14 (1996 Replacement Volume)

15 BY repealing and reenacting, with amendments,

16 Article 2B - Alcoholic Beverages  
17 Section 8-216(d), 12-216(a), 15-203(a), and 15-204(a) and (b)  
18 Annotated Code of Maryland  
19 (1996 Replacement Volume)

20 BY repealing

21 Article 2B - Alcoholic Beverages  
22 Section 15-203(d)  
23 Annotated Code of Maryland  
24 (1996 Replacement Volume)

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

27 **Article 2B - Alcoholic Beverages**

28 6-103.

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

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1 (B) IN THIS SECTION, "BOARD" MEANS THE BOARD OF LICENSE  
2 COMMISSIONERS.

3 (C) THE BOARD MAY ISSUE CLASS A-2 OFF-SALE ONLY SEVEN-DAY BEER,  
4 WINE AND LIQUOR LICENSES IN SUCH NUMBERS AS TO ADEQUATELY SERVE THE  
5 PUBLIC. THE NUMBER OF LICENSES ISSUED SHALL BE BASED ON A RATIO OF THE  
6 NUMBER OF LICENSES TO THE TOTAL POPULATION OF THE COUNTY.

7 (D) A CLASS A-2 BEER, WINE AND LIQUOR LICENSE AUTHORIZES THE  
8 HOLDER TO:

9 (1) KEEP FOR SALE AND SELL BEER, WINE AND LIQUOR AT RETAIL; AND

10 (2) DELIVER ALCOHOLIC BEVERAGES IN SEALED PACKAGES OR  
11 CONTAINERS. THE PACKAGE OR CONTAINER MAY NOT BE OPENED NOR ITS  
12 CONTENTS CONSUMED ON THE PREMISES WHERE IT IS SOLD.

13 (E) THE ANNUAL LICENSE FEE IS \$750.

14 (F) A LICENSEE MAY EXERCISE THE PRIVILEGES CONFERRED BY THE  
15 LICENSE BETWEEN 8 A.M. AND MIDNIGHT.

16 (G) ONLY SALES OF BEER AND WINE MAY BE MADE ON SUNDAYS.

17 8-216.

18 (d) The Montgomery County Board of License Commissioners may issue, renew,  
19 and transfer and otherwise provide for [3] 4 classes of alcoholic beverages licenses in the  
20 [Montgomery County section] CITY of Takoma Park as follows:

21 (1) Class B (on-sale) beer and light wine, hotel and restaurant licenses;

22 (2) Class H (on-sale) beer and light wine, hotel and restaurant licenses;  
23 [and]

24 (3) Class B (on-sale) beer, wine, and liquor, hotel and restaurant licenses;  
25 AND

26 (4) CLASS A-2 (OFF-SALE) BEER, WINE AND LIQUOR LICENSES.

27 12-216.

28 (a) In Montgomery County the holders of beer licenses, Classes A, B, C, and D  
29 and beer and light wine licenses, Classes B, C, and D and beer, wine and liquor licenses,  
30 Classes A-2, B and C, [shall] MAY not [be authorized to ] sell any alcoholic beverages,  
31 except those purchased from the Board of Liquor Control for [Montgomery] THE  
32 County.

33 15-203.

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

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1                   (2) [In] UNTIL OCTOBER 1, 1998, IN Montgomery County they may sell any  
2 alcoholic beverages IN DISPENSARIES THAT EXISTED PRIOR TO THAT DATE.

3                   (3) In the following counties they may sell any alcoholic beverages except  
4 beer:

5                           (i) Somerset; and

6                           (ii) Worcester.

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

10 15-204.

11                   (a) The liquor control board in each county [shall have] HAS an absolute  
12 monopoly of the sale and distribution of the particular alcoholic beverages which  
13 elsewhere in this subtitle it is empowered to sell.

14                   (b) (1) [Provided, that] THIS SUBSECTION APPLIES ONLY in Montgomery  
15 County [no].

16                   (2) A person, firm, or corporation [shall] MAY NOT keep for sale any  
17 alcoholic beverage not purchased from the Department of Liquor Control [ for  
18 Montgomery County, provided, however, that nothing in this]. THIS subsection [shall]  
19 DOES NOT apply to holders of Class F licenses, to the holder of a wholesaler's license or  
20 a beer wholesaler's license who shall not sell or deliver any alcoholic beverage in  
21 [Montgomery] THE County for resale [except to a County liquor dispensary].

22                   SECTION 2. AND BE IT FURTHER ENACTED, That, until October 1, 1998, the  
23 Board of License Commissioners of Montgomery County shall give priority to applicants  
24 who apply for the Class A-2 license to those applicants who hold a Class A or a Class D  
25 license in Montgomery County.

26                   SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 October 1, 1997.