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**By: Senators Hoffman, Blount, Kelley, and Conway**

Introduced and read first time: January 31, 1997

Assigned to: Economic and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 19, 1997

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CHAPTER \_\_\_\_

1 AN ACT concerning

2           **Baltimore City - Alcoholic Beverages**  
3           **(Hours and Days for Sale)**

4 FOR the purpose of expanding the authority of the Baltimore City Board of License  
5 Commissioners to restrict, by regulation, the hours and days for the sale and  
6 consumption of alcoholic beverages to include the entire City; requiring the Board  
7 to have cause in order to restrict, by regulation, the hours and days for the sale and  
8 consumption of alcoholic beverages; and generally relating to the Baltimore City  
9 Board of Licence Commissioners.

10 BY repealing and reenacting, with amendments,  
11 Article 2B - Alcoholic Beverages  
12 Section 11-301, 11-302, 11-303, and 11-305  
13 Annotated Code of Maryland  
14 (1996 Replacement Volume)

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

17           **Article 2B - Alcoholic Beverages**

18 11-301.

19           (a) (1) The hours during which the privileges conferred by a Class A beer  
20 license may be exercised are from 6 a.m. to midnight, on every day except Sunday.

21                       (2) In Frederick County, on Sunday the hours of operation are from 1 p.m.  
22 to midnight.

23                       (3) In Montgomery County the hours are as provided in § 11-516(d)(1).

2

1 (4) In Prince George's County the hours are from 6 a.m. to 2 a.m. on the day  
2 following, except on Sunday when sales are not permitted after 2 a.m.

3 (5) In Washington County, the hours of sale are as provided under § 11-522  
4 of this article.

5 (b) (1) The hours during which the privileges conferred by a Class B beer  
6 license may be exercised are from 6 a.m. to midnight.

7 (2) In Montgomery County the on-sale privilege may be exercised from 9  
8 a.m. on any day to 1 a.m. on the following day.

9 (3) In Prince George's County the hours are from 6 a.m. to 2 a.m. on the  
10 following day.

11 (c) (1) The hours during which the privileges conferred by a Class C beer  
12 license may be exercised are from 6 a.m. to midnight.

13 (2) In Caroline County, the hours are from 6 a.m. until 2 a.m. on the  
14 following day.

15 (3) In Montgomery County, sales may not be made before 11 a.m.

16 (4) In Prince George's County, the hours are from 6 a.m. to 2 a.m. on the  
17 following day.

18 (d) (1) The hours during which the privileges conferred by a Class D beer  
19 license may be exercised are from 6 a.m. to midnight.

20 (2) In Caroline County the hours are from 6 a.m. Monday through Saturday  
21 until 1 a.m. on the following day (including Sunday).

22 (3) In Kent County the hours of sale are as provided under § 11-515 of this  
23 article.

24 (4) In Montgomery County the hours for on-sale are from 9 a.m. on any day  
25 to 1 a.m. on the following day.

26 (5) In Prince George's County the hours are from 6 a.m. to 2 a.m. on the  
27 following day.

28 (e) (1) The hours during which the privileges conferred by a Class H beer  
29 license may be exercised are from 9 a.m. to midnight.

30 (2) In Montgomery County the hours are from 9 a.m. to 1 a.m. on the  
31 following day.

32 (f) In Wicomico County, the hours for exercising on a Sunday the privileges  
33 conferred by a seven day, Class A (off-sale) beer license are the same as for the other  
34 days of the week.

35 (g) (1) This subsection applies only in Baltimore City [on the inner parameter  
36 of a rectangle bounded by 31st Street on the south, Greenmount Avenue on the east,  
37 32nd Street on the north, and Barclay Street on the west].

1 (2) By regulation, the Board of License Commissioners may restrict, FOR  
2 CAUSE ONLY, the hours and days for the sale and consumption of beer.

3 11-302.

4 (a) (1) The hours during which the privileges conferred by a Class A beer and  
5 light wine license may be exercised are from 6 a.m. to midnight on every day except  
6 Sunday.

7 (2) In Frederick County, on Sunday the hours are from 1 p.m. to midnight.

8 (3) In Montgomery County the hours are as provided in § 11-516(d)(1).

9 (4) In Prince George's County the hours are from 6 a.m. to 2 a.m. on the  
10 following day except on Sunday when sales are not permitted after 2 a.m.

11 (b) (1) The hours during which the privileges conferred by a Class B beer and  
12 light wine license may be exercised are from 6 a.m. to midnight.

13 (2) In Baltimore City the hours are from 6 a.m. to 2 a.m. on the following  
14 day.

15 (3) In Baltimore County the hours are from 6 a.m. to 2 a.m. on the following  
16 day.

17 (4) In Montgomery County, except as provided in § 11-516 of this article,  
18 the hours for on-sale are from 9 a.m. on any day to 1 a.m. on the following day.

19 (5) In Prince George's County the hours are from 6 a.m. to 2 a.m. on the  
20 following day.

21 (c) (1) The hours during which the privileges conferred by a Class C beer and  
22 light wine license may be exercised are from 6 a.m. to midnight.

23 (2) Except as otherwise provided by regulation adopted under the authority  
24 of subsection (h) of this section, in Baltimore City the hours are from 6 a.m. to 2 a.m. on  
25 the following day.

26 (3) In Baltimore County the hours are from 6 a.m. to 2 a.m. on the following  
27 day.

28 (4) In Montgomery County, except as provided in § 11-516 of this article,  
29 sales may not be made before 11 a.m.

30 (5) In Prince George's County the hours are from 6 a.m. to 2 a.m. on the  
31 following day.

32 (d) (1) The hours during which the privileges conferred by a Class D beer and  
33 light wine license may be exercised are from 6 a.m. to midnight.

34 (2) Except as otherwise provided by regulation adopted under the authority  
35 of subsection (h) of this section, in Baltimore City the hours are from 6 a.m. to 1 a.m. on  
36 the following day.

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1 (3) In Baltimore County the hours are from 6 a.m. to 2 a.m. Monday  
2 through Sunday.

3 (4) In Montgomery County, except as provided in § 11-516 of this article,  
4 the hours for on-sale are from 9 a.m. on any day to 1 a.m. on the following day.

5 (5) In Prince George's County the hours are from 6 a.m. to 2 a.m. on the  
6 following day.

7 (6) In Wicomico County, notwithstanding the provisions of paragraph (1) of  
8 this subsection, the hours on Sunday are from noon to midnight only by bowling alleys as  
9 defined in § 1-102(b)(3) of this article.

10 (e) (1) The hours during which the privileges conferred by a Class H beer and  
11 light wine license may be exercised are from 9 a.m. to midnight.

12 (2) In Caroline County the hours are from 6 a.m. to 2 a.m. on the following  
13 day.

14 (3) In Montgomery County the hours are from 9 a.m. on any day to 1 a.m. on  
15 the following day.

16 (f) In Wicomico County, the hours for exercising on a Sunday the privileges  
17 conferred by a seven day, Class A (off-sale) beer and light wine license shall be the same  
18 as for the other days of the week.

19 (g) In Kent County, the hours for exercising the privileges conferred by a seven  
20 day, Class A (off-sale) beer and light wine license are as provided under § 11-515 of this  
21 article.

22 (h) (1) This subsection applies only in Baltimore City [on the inner parameter  
23 of a rectangle bounded by 31st Street on the south, Greenmount Avenue on the east,  
24 32nd Street on the north, and Barclay Street on the west].

25 (2) By regulation, the Board of License Commissioners may restrict, FOR  
26 CAUSE ONLY, the hours and days for the sale and consumption of beer and light wine.

27 11-303.

28 (a) (1) The hours during which the privileges conferred by a Class A beer, wine  
29 and liquor license may be exercised are from 6 a.m. to midnight, on every day except  
30 Sunday.

31 (2) The provisions of paragraph (1) of this subsection are superseded as  
32 follows:

33 (i) In Annapolis the hours may be fixed by the Mayor, Counselor, and  
34 Aldermen of the City of Annapolis;

35 (ii) In Frederick County holders of a Class A beer, wine and liquor  
36 (off-sale) license may sell beer, wine and liquor for off-premises consumption on  
37 Sundays from 1 p.m. to midnight if they hold a special Sunday opening permit;

38 (iii) In Kent County the provisions of § 11-515 apply;

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1 (iv) In St. Mary's County holders of a Class A-1 license may sell on  
2 Sunday; and

3 (v) In Talbot County the hours are from 8 a.m. to 12 midnight.

4 (b) (1) The hours during which the privileges conferred by a Class B beer, wine  
5 and liquor license may be exercised are from 6 a.m. to 2 a.m. on the following day.

6 (2) In Annapolis the hours shall be as fixed by the Mayor, Counselor, and  
7 Aldermen of the City of Annapolis.

8 (3) In Montgomery County, except as provided in § 11-516 of this article,  
9 the hours are from 9 a.m. on any day to 1 a.m. on the following day.

10 (4) In the 47th alcoholic beverages district in Baltimore City, the hours for  
11 off-sales under a Class B beer, wine and liquor license for use in a restaurant are as  
12 provided for in § 6-201(d) of this article.

13 (c) (1) The hours during which the privileges conferred by a Class C beer, wine  
14 and liquor license may be exercised are from 6 a.m. to 2 a.m. on the following day.

15 (2) In Annapolis, the hours are as fixed by the Mayor, Counselor, and  
16 Aldermen of Annapolis.

17 (3) In Kent County the hours of sale are as provided under § 11-515 of this  
18 article.

19 (4) In Montgomery County, the hours of sale are as provided in § 11-516 of  
20 this article.

21 (d) (1) The hours during which the privileges conferred by a Class D beer, wine  
22 and liquor license may be exercised are from 6 a.m. to midnight.

23 (2) Except as otherwise provided by regulation adopted under the authority  
24 of subsection (e) of this section, in Baltimore City the hours are from 6 a.m. to 1 a.m.

25 (3) In Baltimore County the hours are from 6 a.m. to 2 a.m.

26 (4) In Caroline County the hours are from 6 a.m. Monday through Saturday  
27 until 1 a.m. on the following day (including Sunday).

28 (5) In Queen Anne's County the hours on Monday through Saturday are  
29 from 6 a.m. to 2 a.m. on the following day.

30 (6) In Wicomico County the hours are from 10 a.m. to 2 a.m., Monday  
31 through Saturday. Where sales are permitted until 2 a.m., alcoholic beverages may not be  
32 consumed after 2:30 a.m., at which time all tables and bar areas shall be cleared of all  
33 alcoholic beverages.

34 (e) (1) This subsection applies only in Baltimore City [on the inner parameter  
35 of a rectangle bounded by 31st Street on the south, Greenmount Avenue on the east,  
36 32nd Street on the north, and Barclay Street on the west].

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1 (2) By regulation, the Board of License Commissioners may restrict, FOR  
2 CAUSE ONLY, the hours and days for the sale and consumption of beer, wine and liquor.

3 11-305.

4 (a) This section applies only in Baltimore City.

5 (b) (1) Except as otherwise provided by law or by regulation adopted under the  
6 authority of paragraph (2) of this subsection, between 2 a.m. and 6 a.m. on any day, a  
7 person may not consume any alcoholic beverages on any premises open to the general  
8 public, any place of public accommodation, or any place at which setups or other  
9 component parts of mixed alcoholic drinks are sold, whether or not the premises or place  
10 is licensed for the sale of alcoholic beverages or has any other license if any form of  
11 entertainment, live or recorded, is offered at the place or on the premises.

12 (2) [(i) This paragraph applies only on the inner parameter of a rectangle  
13 bounded by 31st Street on the south, Greenmount Avenue on the east, 32nd Street on the  
14 north, and Barclay Street on the west.

15 (ii)] By regulation, the Board of License Commissioners may restrict,  
16 FOR CAUSE ONLY, the hours and days for the consumption of alcoholic beverages.

17 (c) The owner, operator, or manager of the premises or place may not knowingly  
18 permit the consumption of alcoholic beverages that is prohibited by this section.

19 (d) The owner, operator, or manager of any premises open to the general public  
20 or of any place of public accommodation where any form of entertainment is provided  
21 between 2 a.m. and 6 a.m. on any day and where alcoholic beverages are consumed at any  
22 hour of the day shall:

23 (1) Register with the fire department and the Department of Housing and  
24 Community Development; and

25 (2) Comply with all federal, State, and city building, fire, health, and zoning  
26 laws.

27 (e) Any person who consumes any alcoholic beverages on any premises  
28 enumerated in this section and any owner, operator, or manager of those premises or  
29 place who knowingly permits the consumption prohibited by this section is guilty of a  
30 misdemeanor and may be fined not more than \$5,000 or imprisoned for not more than 3  
31 years or both.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
33 October 1, 1997.

