
By: **Delegate Mitchell**

Introduced and read first time: January 18, 2001

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 13, 2001

CHAPTER _____

1 AN ACT concerning

2 **Charles County - Alcoholic Beverages - Class B Licenses**

3 FOR the purpose of exempting, in Charles County, Class B (on-sale) beer, wine and
4 liquor licenses from the prohibition against the issuance of alcoholic beverages
5 licenses for premises within a certain distance of certain places of worship and
6 schools in a municipal corporation; and generally relating to the issuance of
7 alcoholic beverages licenses in Charles County.

8 BY repealing and reenacting, with amendments,
9 Article 2B - Alcoholic Beverages
10 Section 9-209
11 Annotated Code of Maryland
12 (1998 Replacement Volume and 2000 Supplement)

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

15 **Article 2B - Alcoholic Beverages**

16 9-209.

17 (a) This section applies only in Charles County.

18 (b) (1) The Board of License Commissioners may not issue more than 1 of
19 any class of alcoholic beverages license with an off-sale privilege for each unit of
20 1,350 people, based on the population figures of the last federal census, within each
21 election district in the County.

1 (2) A license issued under this subsection may not be transferred from
2 one election district to another.

3 (3) (i) This subsection may not be construed to require the forfeiture
4 or revocation of any alcoholic beverages license issued and outstanding on October 1,
5 1992.

6 (ii) In any election district in which the quota is exceeded as of that
7 date, the total number of licenses shall be reduced from time to time only by the
8 voluntary relinquishment of licenses by the licensees, by bankruptcy, or by the
9 workings of other provisions of this article. A new license may not be issued in any
10 election district unless the issue may be made without exceeding the quota provided
11 for in this subsection.

12 (c) When application for a liquor license is made to sell alcoholic beverages in
13 a building which is not completed, the Board of License Commissioners may give
14 tentative approval of the application on the basis of plans and specifications
15 accompanying the application. Upon completion of the building in accordance with
16 the plans and specifications, the Board may issue the license.

17 (d) (1) [The] EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (3) OF THIS
18 SUBSECTION, THE Board of License Commissioners may not issue any license to sell
19 alcoholic beverages in any building the nearest wall of which measured in a direct line
20 is within 500 feet of the property line of any church or other place of worship or any
21 school accredited by the State Board of Education.

22 (2) This subsection is not applicable in the event the church or other
23 place of worship or the school locates its building within 500 feet of any licensed
24 premises after the licensed premises are located there.

25 (3) THIS SUBSECTION DOES NOT APPLY TO A CLASS B (ON-SALE) BEER,
26 WINE AND LIQUOR LICENSE THAT IS ISSUED FOR A PREMISES LOCATED IN A
27 MUNICIPAL CORPORATION IN CHARLES COUNTY.

28 (e) Subsections (c) and (d) do not apply to or affect or prohibit, in any manner,
29 the renewal or transfer of any license issued prior to June 1, 1959.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2001.