

SENATE BILL 358
EMERGENCY BILL

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A2

2002 Regular Session
(2r1266)

ENROLLED BILL
-- Education, Health, and Environmental Affairs/Economic Matters --

Introduced by **Senator Della**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City - Class D Beer, Wine and Liquor Licenses - Sunday Sales**

3 FOR the purpose of authorizing the Baltimore City Board of License Commissioners
4 to issue a supplemental alcoholic beverages license authorizing certain Sunday
5 sales to a Class D beer, wine and liquor licensee; establishing ~~an annual~~ a fee for
6 the supplemental license; requiring a supplemental licensee to notify the Board
7 a certain amount of time in advance of exercising the privileges under the
8 supplemental license; clarifying the hours and days for sale for a Class D beer,
9 wine and liquor license in Baltimore City; making a stylistic change; making
10 this Act an emergency measure; and generally relating to Sunday sales for Class
11 D beer, wine and liquor licensees in Baltimore City.

12 BY repealing and reenacting, without amendments,
13 Article 2B - Alcoholic Beverages
14 Section 6-401(a)
15 Annotated Code of Maryland
16 (2001 Replacement Volume)

1 BY repealing and reenacting, with amendments,
 2 Article 2B - Alcoholic Beverages
 3 Section 6-401(d) and 11-503
 4 Annotated Code of Maryland
 5 (2001 Replacement Volume)

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 6-401.

10 (a) (1) A Class D beer, wine and liquor license shall be issued by the license
 11 issuing authority of the county in which the place of business is located. It authorizes
 12 the holder to keep for sale and sell all alcoholic beverages at retail at the place
 13 described in it, for consumption on the premises or elsewhere. A license may not be
 14 issued for any drugstore.

15 (2) The annual license fee shall be paid to the local collecting agent
 16 before any license is issued, for distribution as provided.

17 (3) In this section, "Board" means the Board of License Commissioners
 18 for the jurisdiction to which the subsection applies.

19 (d) (1) [In] SUBJECT TO § 11-503(B)(2) OF THIS ARTICLE, IN Baltimore City
 20 the annual license fee is \$687.50.

21 (2) IN BALTIMORE CITY, THE HOURS AND DAYS FOR SALE FOR THE
 22 LICENSE ARE AS PROVIDED UNDER § 11-503 OF THIS ARTICLE.

23 11-503.

24 (a) In Baltimore City an amusement license shall authorize the holder thereof
 25 to keep for sale and sell all alcoholic beverages at all hours except between the hours
 26 of 2 o'clock a.m. and 6 o'clock a.m. of each day.

27 (b) (1) [No] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,
 28 NO sales shall be [permitted] ALLOWED by the holder of a Class D, beer, wine and
 29 liquor license (without amusement permit) between the hours of 1 a.m. on Sunday
 30 and 6 a.m. the following day.

31 (2) (I) THE BOARD MAY ISSUE A SUPPLEMENTAL LICENSE NO MORE
 32 THAN TWO TIMES DURING ANY CALENDAR YEAR TO A HOLDER OF A CLASS D BEER,
 33 WINE AND LIQUOR LICENSE AUTHORIZING THE HOLDER TO SELL ALCOHOLIC
 34 BEVERAGES BETWEEN THE HOURS OF 6 A.M. ON SUNDAY AND 1 A.M. THE
 35 FOLLOWING DAY ~~UP TO TWO TIMES DURING ANY CALENDAR YEAR.~~

1 (II) THE ANNUAL FEE FOR THE SUPPLEMENTAL LICENSE IS ~~\$150~~
2 \$75 PER ISSUANCE, WHICH FEE IS IN ADDITION TO THE ANNUAL FEE FOR THE
3 UNDERLYING CLASS D BEER, WINE AND LIQUOR LICENSE.

4 (III) A HOLDER OF A SUPPLEMENTAL LICENSE UNDER THIS
5 PARAGRAPH SHALL NOTIFY THE BOARD AT LEAST 2 WEEKS IN ADVANCE OF
6 EXERCISING THE PRIVILEGES UNDER THE SUPPLEMENTAL LICENSE.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
8 measure, is necessary for the immediate preservation of the public health or safety,
9 has been passed by a ye and nay vote supported by three-fifths of all the members
10 elected to each of the two Houses of the General Assembly, and shall take effect from
11 the date it is enacted.