

SENATE BILL 358  
EMERGENCY BILL

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A2

2002 Regular Session  
2lr1266

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By: **Senator Della**

Introduced and read first time: January 28, 2002

Assigned to: Education, Health, and Environmental Affairs

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A BILL ENTITLED

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 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)

17 BY repealing and reenacting, with amendments,  
18 Article 2B - Alcoholic Beverages  
19 Section 6-401(d) and 11-503  
20 Annotated Code of Maryland  
21 (2001 Replacement Volume)

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

24 **Article 2B - Alcoholic Beverages**

25 6-401.

26 (a) (1) A Class D beer, wine and liquor license shall be issued by the license  
27 issuing authority of the county in which the place of business is located. It authorizes  
28 the holder to keep for sale and sell all alcoholic beverages at retail at the place

1 described in it, for consumption on the premises or elsewhere. A license may not be  
2 issued for any drugstore.

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

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

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

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

11 11-503.

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

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

19 (2) (I) THE BOARD MAY ISSUE A SUPPLEMENTAL LICENSE TO A  
20 HOLDER OF A CLASS D BEER, WINE AND LIQUOR LICENSE AUTHORIZING THE  
21 HOLDER TO SELL ALCOHOLIC BEVERAGES BETWEEN THE HOURS OF 6 A.M. ON  
22 SUNDAY AND 1 A.M. THE FOLLOWING DAY UP TO TWO TIMES DURING ANY CALENDAR  
23 YEAR.

24 (II) THE ANNUAL FEE FOR THE SUPPLEMENTAL LICENSE IS \$150,  
25 WHICH FEE IS IN ADDITION TO THE ANNUAL FEE FOR THE UNDERLYING CLASS D  
26 BEER, WINE AND LIQUOR LICENSE.

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

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