

SENATE BILL 358
EMERGENCY BILL

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A2

2002 Regular Session
2lr1266

By: **Senator Della**

Introduced and read first time: January 28, 2002

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: March 6, 2002

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 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:

1

Article 2B - Alcoholic Beverages

2 6-401.

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

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

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

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

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

16 11-503.

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

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

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

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

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

35 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
36 measure, is necessary for the immediate preservation of the public health or safety,
37 has been passed by a ye and nay vote supported by three-fifths of all the members

1 elected to each of the two Houses of the General Assembly, and shall take effect from
2 the date it is enacted.