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By: **Senator Mitchell**

Introduced and read first time: February 1, 2002

Assigned to: Education, Health, and Environmental Affairs

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A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City - Alcoholic Beverages - Licensed Premises Remaining Open**  
3 **After Hours**

4 FOR the purpose of authorizing licensed premises in certain zoning districts in  
5 Baltimore City to remain open after hours for a certain purpose; and generally  
6 relating to premises licensed for alcoholic beverages in Baltimore City.

7 BY repealing and reenacting, with amendments,  
8 Article 2B - Alcoholic Beverages  
9 Section 11-304(d)  
10 Annotated Code of Maryland  
11 (2001 Replacement Volume)

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

14 **Article 2B - Alcoholic Beverages**

15 11-304.

16 (d) (1) Except as provided in this subsection, this section does not apply to  
17 premises conducted on New Year's Day by on-sale licensees in Baltimore City.

18 (2) In Baltimore City, a licensed premises shall cease all operations,  
19 including the serving of alcoholic beverages or food and providing entertainment, at  
20 the closing hour for that class of licensed premises specified in this article.

21 (3) Notwithstanding paragraph (2) of this subsection, the Board of  
22 Liquor License Commissioners may grant an exemption for remaining open after  
23 hours to:

24 (i) A holder of a Class B restaurant license, only for serving food to  
25 patrons seated for dining; or

26 (ii) A pharmacy that fills prescriptions.

1                   (4)     A pharmacy that receives an exemption under paragraph (3) of this  
2 subsection may also sell products other than alcohol after normal closing hours.

3                   (5)     Notwithstanding the hour restrictions under paragraph (2) of this  
4 subsection[, a]:

5                   (I)     A hotel that holds a Class B license and that serves food to  
6 seated customers or to private functions or guest rooms may continue to provide food  
7 service; AND

8                   (II)    ANY LICENSED PREMISES IN A B-4 OR B-5 ZONING DISTRICT  
9 MAY REMAIN OPEN FOR A LAWFUL PURPOSE OTHER THAN THE SALE OR  
10 CONSUMPTION OF ALCOHOLIC BEVERAGES IF THE PURPOSE DOES NOT VIOLATE A  
11 ZONING REQUIREMENT ADOPTED UNDER ARTICLE 66B OF THE CODE.

12     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 July 1, 2002.