Unofficial Copy A2 2003 Regular Session 3lr2517

By: Delegate D. Davis (By Request) Introduced and read first time: February 24, 2003 Assigned to: Rules and Executive Nominations A BILL ENTITLED 1 AN ACT concerning 2 Prince George's County - Alcoholic Beverages - Class B Beer, Wine and 3 **Liquor Licenses** 4 FOR the purpose of authorizing the holders of certain existing Class B beer, wine and 5 liquor licenses in Prince George's County to sell alcoholic beverages for 6 consumption off the licensed premises 7 days a week after notifying the Prince 7 George's County Board of License Commissioners. BY repealing and reenacting, with amendments, 8 Article 2B - Alcoholic Beverages 9 10 Section 6-201(r)(2) and 11-517(f) Annotated Code of Maryland 11 12 (2001 Replacement Volume and 2002 Supplement) SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 13 14 MARYLAND, That the Laws of Maryland read as follows: 15 **Article 2B - Alcoholic Beverages** 16 6-201. 17 The annual license fee is \$1,320. (r) (2) (i) 1. 18 2. The licensee may not make any sale of alcoholic beverages 19 for consumption off the licensed premises except from the main bar and within the 20 main portion of the dining room facilities. 21 A separate license fee may be charged whenever the 1. 22 applicant for or holder of a Class B (on-sale) beer, wine and liquor license proposes to 23 or in fact establishes and conducts on the licensed premises, an area or portion of 24 these licensed premises, where there are maintained "off-sale" shelves or counters 25 not contained within and an integral part of the main bar and in the main dining

26 facilities where the majority of the meals are served and consumed in the licensed 27 premises (whether enclosed or opened, partitioned or otherwise partly separated from 28 the main bar or the usual serving area within these premises for the sale of alcoholic

HOUSE BILL 1105

2	beverages for consumption on the premises and not part of the premises where the major portion of meals are served and consumed in these licensed premises) for the sale of alcoholic beverages for consumption off the licensed premises.
4	2. The annual license fee is \$2,200.
7 8	(iii) 1. The license holder under this subsection may sell alcoholic beverages for consumption off the premises from any portion of these premises other than from the main bar, or the usual place maintained for sale of alcoholic beverages for consumption on the premises and where the major portion of the meals are consumed in these premises.
10	2. The annual license fee for this privilege is \$2,200.
13 14	(iv) The number of licenses which are permitted to have any off-sale privileges referred to in this subsection are limited to those licenses having the permit and facilities on May 28, 1969. AFTER NOTIFYING THE BOARD, THE HOLDER OF A LICENSE ISSUED BEFORE MAY 28, 1969, MAY SELL ALCOHOLIC BEVERAGES FOR CONSUMPTION OFF THE LICENSED PREMISES 7 DAYS A WEEK.
16 17	(v) Any interruption of restaurant facilities for any reason shall be reported to the Board promptly.
18 19	(vi) Any drug, candy or confectionery store may not be construed to be a restaurant.
22 23 24 25	(vii) On and after May 1, 1966, any new application for a beer, wine and liquor license, Class B may not be granted by the Board, and any transfer from one location to another location by the same license holder, and any transfer from one license holder to another at the same location, or from one license holder to another at a different location, may not be approved unless the establishment where it is proposed to locate or transfer the license meets the standards contained in this section.
27	11-517.
30 31 32 33 34 35	(f) (1) Notwithstanding any other provisions of this article, but in addition thereto the holder of a beer, wine and liquor license, Class B, his agents, servants or employees may not sell any alcoholic beverages for consumption off the licensed premises between the hours of 2:00 a.m. and 6:00 a.m. or on Sunday after 2:00 a.m. from any separate store established on the licensed premises as an "off-sale store" or to keep an "off-sale store" open for business on Sunday after 2 a.m. except that beer and light wine only may be sold from an "off-sale" store which is attached to and a part of the licensed premises on Sunday after eight a.m. until two a.m. the day following.
39	(2) AFTER NOTIFYING THE BOARD, THE HOLDER OF A CLASS B BEER, WINE AND LIQUOR LICENSE ISSUED BEFORE MAY 28, 1969, MAY SELL ALCOHOLIC BEVERAGES FOR CONSUMPTION OFF THE LICENSED PREMISES ON SUNDAY BETWEEN THE HOURS OF 12:00 NOON AND 2:00 A.M.

HOUSE BILL 1105

- 1 (3) For the purpose of this provision, the Board of License 2 Commissioners shall determine by reasonable standards what shall constitute an
- 3 "off-sale store".
- Nothing further herein shall be construed to permit sales at any time (4)
- 5 between 2 a.m. and 6 a.m. of any day.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 6
- 7 October 1, 2003.