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By: **Prince George's County Delegation**

Introduced and read first time: February 4, 2004

Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - Alcoholic Beverages Licensees (Off-Sale) - Hours**  
3 **for Sale**  
4 **PG 312-04**

5 FOR the purpose of altering the hours for sale in Prince George's County for a holder  
6 of an off-sale alcoholic beverages license or an alcoholic beverages license with  
7 off-sale privileges; clarifying language; making stylistic changes; and generally  
8 relating to the hours for sale for an off-sale alcoholic beverages licensee in  
9 Prince George's County.

10 BY repealing and reenacting, without amendments,  
11 Article 2B - Alcoholic Beverages  
12 Section 11-517(a)  
13 Annotated Code of Maryland  
14 (2001 Replacement Volume and 2003 Supplement)

15 BY repealing and reenacting, with amendments,  
16 Article 2B - Alcoholic Beverages  
17 Section 11-517(b), (c), (e), and (f)  
18 Annotated Code of Maryland  
19 (2001 Replacement Volume and 2003 Supplement)

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

22 **Article 2B - Alcoholic Beverages**

23 11-517.

24 (a) This section applies only in Prince George's County.

25 (b) (1) (I) A holder of any retail "ON-SALE" alcoholic beverage license or  
26 any agent, servant or employee of a holder of any "ON-SALE" alcoholic beverage  
27 license may not sell or serve any alcoholic beverages FOR CONSUMPTION ON THE

1 LICENSED PREMISES or permit any alcoholic beverages to be consumed on the  
2 licensed premises between the hours of 2:00 a.m. and 6:00 a.m., except as provided in  
3 subsection (c) of this section. [A holder of any retail alcoholic beverage license or any  
4 agent, servant or employee of a holder of any alcoholic beverages license may not sell  
5 any alcoholic beverage or permit any alcoholic beverage to be consumed on the  
6 licensed premises between the hours of 2:00 a.m. and 6:00 a.m., except as provided in  
7 subsection (c) of this section.]

8 (II) Holders of any "on-sale" retail alcoholic beverage license, their  
9 agents, servants, or employees may sell beer and light wine on Sunday FOR  
10 CONSUMPTION ON THE LICENSED PREMISES, except between the hours of 2:00 a.m.  
11 and 8:00 a.m.

12 (III) [A] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A holder  
13 of any Class B restaurant license, with or without a Sunday permit, may sell beer,  
14 wine and liquor on Sunday when it falls on Christmas Eve or New Year's Eve, except  
15 between the hours of [2 a.m.] 2:00 A.M. and [8 a.m.] 8:00 A.M.

16 (2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A  
17 HOLDER OF A RETAIL "OFF-SALE" ALCOHOLIC BEVERAGES LICENSE OR AN  
18 ALCOHOLIC BEVERAGES LICENSE WITH OFF-SALE PRIVILEGES, OR ANY AGENT,  
19 SERVANT OR EMPLOYEE OF THE HOLDER, MAY NOT SELL ANY ALCOHOLIC  
20 BEVERAGES FOR CONSUMPTION OFF THE LICENSED PREMISES BETWEEN THE  
21 HOURS OF 12:00 A.M. AND 6:00 A.M.

22 (II) A holder of a Class A beer, wine and liquor license or any agent,  
23 servant or employee of a holder of a Class A beer, wine and liquor license may not  
24 make any sale [between the hours of 2:00 a.m. and 6:00 a.m. or] on Sunday after  
25 [2:00 a.m.] 12:00 A.M. except when December 24 and 31 fall on a Sunday.

26 (c) Notwithstanding any other provisions of this article, if a Class B on-sale  
27 licensee has live entertainment within the licensed premises on Friday, or Saturday  
28 nights, the licensee may sell or serve alcoholic beverages FOR CONSUMPTION ON THE  
29 LICENSED PREMISES, in accordance with his license, between the hours of 6:00 a.m.  
30 and 3:00 a.m. of the following day.

31 (e) The holder of a Class A (off-sale) license who offers for sale in his licensed  
32 premises commodities other than alcoholic beverages and is open on Sundays for the  
33 sale of such commodities shall keep all alcoholic beverages upon the premises in a  
34 separate beverage department securely closed and locked in a compartment,  
35 compartments or enclosure between the hours of [2:00 a.m.] 12:00 A.M. on Sunday  
36 and 6:00 a.m. the following Monday, subject to regulations of the Board of License  
37 Commissioners not inconsistent with the provisions hereof. The provisions of this  
38 subsection do not apply to alcoholic beverages in storage areas which are not open to  
39 the public.

40 (f) Notwithstanding any other provisions of this article, but in addition  
41 thereto the holder of a beer, wine and liquor license, Class B, his agents, servants or  
42 employees may not sell any alcoholic beverages for consumption off the licensed

1 premises between the hours of [2:00 a.m.] 12:00 A.M. and 6:00 a.m. or on Sunday after  
2 [2:00 a.m.] 12:00 A.M. from any separate store established on the licensed premises as  
3 an "off-sale store" or to keep an "off-sale store" open for business on Sunday after [2  
4 a.m.] 12:00 A.M. except that beer and light wine only may be sold from an "off-sale"  
5 store which is attached to and a part of the licensed premises on Sunday after [eight  
6 a.m.] 8:00 A.M. until [two a.m.] 12:00 A.M. the day following. For the purpose of this  
7 provision, the Board of License Commissioners shall determine by reasonable  
8 standards what shall constitute an "off-sale store". Nothing further herein shall be  
9 construed to permit sales at any time between [2 a.m.] 12:00 A.M. and [6 a.m.] 6:00  
10 A.M. of any day.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
12 October 1, 2004.