

BY: Senator Green

AMENDMENTS TO HOUSE BILL NO. 1125

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Arena" insert "License - Hours of Sale"; strike line 3 in its entirety; in line 6, after "County;" insert "altering the hours of sale for a holder of a certain off-sale alcoholic beverages license or certain alcoholic beverages licenses with off-sale privileges; clarifying language; making stylistic changes;"; in line 10, after "9-217(a)" insert "and 11-517(a)"; and in line 15, after "9-217(b)" insert "and 11-517(b), (c), (e), and (f)".

AMENDMENT NO. 2

On page 3, after line 4, insert:

"11-517.

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

(b) (1) (I) A holder of any retail "ON-SALE" alcoholic beverage license or any agent, servant or employee of a holder of any "ON-SALE" alcoholic beverage license may not sell or serve any alcoholic beverages FOR CONSUMPTION ON THE LICENSED PREMISES or permit any alcoholic beverages to be consumed on the licensed premises between the hours of 2:00 a.m. and 6:00 a.m., except as provided in subsection (c) of this section. [A holder of any retail alcoholic beverage license or any agent, servant or employee of a holder of any alcoholic beverages license may not sell any alcoholic beverage or permit any alcoholic beverage to be consumed on the licensed premises between the hours of 2:00 a.m. and 6:00 a.m., except as provided in subsection (c) of this section.]

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

(Over)

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

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

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

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

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

(f) 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.] 12:00 A.M. and 6:00 a.m. or on Sunday after [2:00 a.m.] 12:00 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.] 12:00 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.] 8:00 A.M. until [two a.m.] 12:00 A.M. the day following. For the purpose of this provision, the Board of License Commissioners shall determine by reasonable standards what shall constitute an “off-sale store”. Nothing further herein shall be construed to permit sales at any time between [2 a.m.] 12:00 A.M. and [6 a.m.] 6:00 A.M. of any day.”.