

**ENROLLED BILL**

-- *Economic Matters/Education, Health, and Environmental Affairs* --

Introduced by **Prince George's County Delegation**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Prince George's County - Alcoholic Beverages - Repeal of Class B/Arena**  
3 **License - Hours of Sale ~~Beer, Wine and Liquor License~~**  
4 **PG 333-05**

5 FOR the purpose of repealing the Class B/Arena beer, wine and liquor license in  
6 Prince George's County; *altering the hours of sale for a holder of a certain*  
7 *off-sale alcoholic beverages license or certain alcoholic beverages licenses with*  
8 *off-sale privileges; clarifying language; making stylistic changes;* and generally  
9 relating to alcoholic beverages licenses in Prince George's County.

10 BY repealing and reenacting, without amendments,  
11 Article 2B - Alcoholic Beverages  
12 Section 9-217(a) *and 11-517(a)*  
13 Annotated Code of Maryland  
14 (2001 Replacement Volume and 2004 Supplement)

1 BY repealing and reenacting, with amendments,  
 2 Article 2B - Alcoholic Beverages  
 3 Section 9-217(b) and 11-517(b), (c), (e), and (f)  
 4 Annotated Code of Maryland  
 5 (2001 Replacement Volume and 2004 Supplement)

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

8 **Article 2B - Alcoholic Beverages**

9 9-217.

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

11 (b) The number of licenses of each class of alcoholic beverage licenses may not  
 12 exceed the following maximum amounts:

13	(1)	Beer license, Class A	.....	19
14	(2)	Beer license, Class B	.....	23
15	(3)	Beer license, Class C	.....	3
16	(4)	Beer license, Class D	.....	76
17	(5)	Beer and light wine license, Class A	.....	26
18	(6)	Beer and light wine license, Class B	.....	38
19	(7)	Beer and light wine license, Class B-GC	.....	4
20	(8)	Beer and light wine license, Class B-Stadium	.....	1
21	(9)	Beer and light wine license, Class C	.....	8
22	(10)	Beer and light wine license, Class D	.....	55
23	(11)	Beer, wine and liquor license, Class A	.....	142
24	(12)	Beer, wine and liquor license, Class B	.....	170
25	(13)	Beer, wine and liquor license, Class BCE	.....	3
26	(14)	Beer, wine and liquor license, Class B-CI	.....	2
27	(15)	Beer, wine and liquor license, Class BH	.....	20
28	(16)	[Beer, wine and liquor license, Class B/Arena	.....	1

1 (17) Beer, wine and liquor license, Class B/ECF ..... 1

2 [(18)] (17) Beer, wine and liquor license, Class B-ECF/DS ..... 1

3 [(19)] (18) Beer, wine and liquor license, Class B-ECR ..... 1

4 [(20)] (19) Beer, wine and liquor license, Class B-Stadium ..... 1

5 [(21)] (20) Beer, wine and liquor license, Class C

6 (i) Under § 6-301(r)(2) ..... 30

7 (ii) Under § 6-301(r)(3) ..... 25

8 (iii) Under § 6-301(r)(4) ..... 4

9 (iv) Under § 6-301(r)(5) ..... 12

10 (v) Under § 6-301(r)(7) ..... 1

11 11-517.

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

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

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

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

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

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

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

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

19 (f) Notwithstanding any other provisions of this article, but in addition thereto  
20 the holder of a beer, wine and liquor license, Class B, his agents, servants or employees  
21 may not sell any alcoholic beverages for consumption off the licensed premises between  
22 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  
23 A.M. from any separate store established on the licensed premises as an "off-sale store"  
24 or to keep an "off-sale store" open for business on Sunday after [2 a.m.] 12:00 A.M.  
25 except that beer and light wine only may be sold from an "off-sale" store which is  
26 attached to and a part of the licensed premises on Sunday after [eight a.m.] 8:00 A.M.  
27 until [two a.m.] 12:00 A.M. the day following. For the purpose of this provision, the  
28 Board of License Commissioners shall determine by reasonable standards what shall  
29 constitute an "off-sale store". Nothing further herein shall be construed to permit sales  
30 at any time between [2 a.m.] 12:00 A.M. and [6 a.m.] 6:00 A.M. of any day.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
32 June 1, 2005.