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

Introduced and read first time: February 11, 2005

Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - Alcoholic Beverages - Exception to Prohibition on**  
3 **Licensed Premises Near Churches**  
4 **PG 323-05**

5 FOR the purpose of creating a certain exception to the prohibition in Prince George's  
6 County against granting a license to sell alcoholic beverages in a building within  
7 a certain distance from a church; specifying that the prohibition does not apply  
8 in a case of a church that is located in a commercial zone; making certain  
9 stylistic changes; and generally relating to alcoholic beverages licenses in Prince  
10 George's County.

11 BY repealing and reenacting, without amendments,  
12 Article 2B - Alcoholic Beverages  
13 Section 9-217(a)  
14 Annotated Code of Maryland  
15 (2001 Replacement Volume and 2004 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Article 2B - Alcoholic Beverages  
18 Section 9-217(e)  
19 Annotated Code of Maryland  
20 (2001 Replacement Volume and 2004 Supplement)

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

23 **Article 2B - Alcoholic Beverages**

24 9-217.

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

1 (e) (1) (I) [A] EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, A  
2 license may not be granted to sell alcoholic beverages in any building located within  
3 1,000 feet of a school building, or within 500 feet of a church.

4 (II) The 1,000 feet, or the 500 feet, as the case may be, is to be  
5 measured from the front door or main entrance, whichever is nearest the street  
6 abutting the premises, of the proposed licensed establishment along the nearest usual  
7 pedestrian route to the door closest to the licensed premises which is used as an  
8 entrance or exit to any school, or to the main entrance of the church building.

9 (2) (I) This restriction does not apply in the case of a church if the  
10 governing body of the church concerned consents in writing to the granting of the  
11 license.

12 (II) The consent shall be filed with the application.

13 (III) The license of any person or persons or for the use of a  
14 corporation or unincorporated association issued for any building located within the  
15 requisite distance from a church or school building may be renewed or extended for  
16 the same building.

17 (3) THIS RESTRICTION DOES NOT APPLY IN THE CASE OF A CHURCH  
18 THAT IS LOCATED IN A COMMERCIAL ZONE.

19 [(3)] (4) This restriction does not apply to any transfer or assignment of  
20 a license located within the distance of 1,000 feet to another place of business within  
21 the specified distance [and/or] OR to an assignee of the license within the distance of  
22 the same church or school building.

23 [(4)] (5) This RESTRICTION does not apply to the issuance of a license for  
24 a place of business, not having an alcoholic beverage license, to which an alcoholic  
25 beverage license had been issued and was in force and effect on June 1, 1965, as to a  
26 license of the same class which was in force and effect as of that date, applied for in  
27 the place of business nor to a renewal of a license of any establishment where,  
28 subsequent to the original granting of the license a school or church building was  
29 erected within 1,000 feet.

30 [(5)] (6) This RESTRICTION does not apply to any licenses or to any  
31 license issued under § 6-201(r)(2) or (5) or § 7-101 of this article.

32 [(6)] (7) This restriction does not apply in the case of a private  
33 kindergarten or nursery school.

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
35 October 1, 2005.