
By: **Senator McFadden**

Introduced and read first time: February 4, 2005

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City - Class B-D-7 Alcoholic Beverages Licenses - Hours of Sale**

3 FOR the purpose of altering the hours of sale of Class B-D-7 licensed premises in
4 Baltimore City; allowing alcoholic beverages to be consumed at a certain place
5 until a certain time; authorizing the Board of Liquor License Commissioners to
6 grant a certain exemption to a holder of Class B-D-7 license under certain
7 circumstances for a certain purpose; providing for the termination of this Act;
8 making a stylistic change; and generally relating to alcoholic beverages licenses
9 in Baltimore City.

10 BY repealing and reenacting, without amendments,
11 Article 2B - Alcoholic Beverages
12 Section 8-203(d)(1)
13 Annotated Code of Maryland
14 (2001 Replacement Volume and 2004 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article 2B - Alcoholic Beverages
17 Section 8-203(d)(3) and 11-304(d)
18 Annotated Code of Maryland
19 (2001 Replacement Volume and 2004 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 8-203.

24 (d) (1) There is a Class B-D-7 license.

25 (3) (I) Licensees may sell all alcoholic beverages at retail at the place
26 [in the license] described IN THE LICENSE, for consumption on the premises and
27 elsewhere, from 6 a.m. to [2 a.m.] 2:30 A.M. on the following day, 7 days per week.

1 (II) ALCOHOLIC BEVERAGES MAY BE CONSUMED AT THE PLACE
2 DESCRIBED IN THE LICENSE UNTIL 3 A.M.

3 11-304.

4 (d) (1) Except as provided in this subsection, this section does not apply to
5 premises conducted on New Year's Day by on-sale licensees in Baltimore City.

6 (2) In Baltimore City, a licensed premises shall cease all operations,
7 including the serving of alcoholic beverages or food and providing entertainment, at
8 the closing hour for that class of licensed premises specified in this article.

9 (3) Notwithstanding paragraph (2) of this subsection, the Board of
10 Liquor License Commissioners may grant an exemption for remaining open after
11 hours to:

12 (i) A holder of a Class B restaurant license, only for serving food to
13 patrons seated for dining; [or]

14 (ii) A pharmacy that fills prescriptions; OR

15 (III) A HOLDER OF A CLASS B-D-7 BEER, WINE AND LIQUOR LICENSE
16 WHOSE LICENSED PREMISES IS LOCATED IN THE DOWNTOWN MANAGEMENT
17 DISTRICT AS DEFINED IN ARTICLE 14, SUBTITLE 1 OF THE BALTIMORE CITY CODE,
18 ONLY FOR SERVING FOOD TO PATRONS SEATED FOR DINING AFTER THE LICENSED
19 PREMISES HAS STOPPED SERVING ALCOHOLIC BEVERAGES AND PROVIDING
20 ENTERTAINMENT.

21 (4) A pharmacy that receives an exemption under paragraph (3) of this
22 subsection may also sell products other than alcohol after normal closing hours.

23 (5) Notwithstanding the hour restrictions under paragraph (2) of this
24 subsection, a hotel that holds a Class B license and that serves food to seated
25 customers or to private functions or guest rooms may continue to provide food service.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 July 1, 2005. It shall remain effective for a period of 2 years and, at the end of June
28 30, 2007, with no further action required by the General Assembly, this Act shall be
29 abrogated and of no further force and effect.