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

Introduced and read first time: February 10, 2006

Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - Alcoholic Beverages Licenses - Exercise of**  
3 **Off-Sale Privileges**  
4 **PG 308-06**

5 FOR the purpose of altering the time in Prince George's County during which holders  
6 of certain alcoholic beverages licenses with off-sale privileges may sell alcoholic  
7 beverages for off-sale consumption; altering the period during which certain  
8 license holders must keep alcoholic beverages on the premises securely closed  
9 and locked in a certain way; making certain stylistic changes; and generally  
10 relating to alcoholic beverages licenses in Prince George's County.

11 BY repealing and reenacting, with amendments,  
12 Article 2B - Alcoholic Beverages  
13 Section 11-301(a)(1) and (4), (b)(1) and (3), and (d)(1) and (5), 11-302(a)(1) and  
14 (4), (b)(1) and (5), and (d)(1) and (5), 11-303(a)(2), (b), and (d), and 11-517  
15 (b)(2)(i), (e), and (f)  
16 Annotated Code of Maryland  
17 (2005 Replacement Volume)

18 BY repealing and reenacting, without amendments,  
19 Article 2B - Alcoholic Beverages  
20 Section 11-303(a)(1) and 11-517(a)  
21 Annotated Code of Maryland  
22 (2005 Replacement Volume)

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

**Article 2B - Alcoholic Beverages**

1 11-301.

2 (a) (1) [The] EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, THE  
3 hours during which the privileges conferred by a Class A beer license may be  
4 exercised are from 6 a.m. to midnight, on every day except Sunday.

5 (4) In Prince George's County the hours are from [6 a.m.] 9 A.M. to 2  
6 a.m. on the day following, except on Sunday when sales are not permitted after 2 a.m.

7 (b) (1) [The] EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, THE  
8 hours during which the privileges conferred by a Class B beer license may be  
9 exercised are from 6 a.m. to midnight.

10 (3) In Prince George's County:

11 (I) [the] THE hours DURING WHICH ON-SALE PRIVILEGES MAY BE  
12 EXERCISED are from 6 a.m. to 2 a.m. on the following day; AND

13 (II) IF OFF-SALE PRIVILEGES ARE ATTACHED TO THE LICENSE,  
14 THE HOURS DURING WHICH OFF-SALE PRIVILEGES MAY BE EXERCISED ARE FROM 9  
15 A.M. TO 2 A.M. ON THE FOLLOWING DAY.

16 (d) (1) [The] EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, THE  
17 hours during which the privileges conferred by a Class D beer license may be  
18 exercised are from 6 a.m. to midnight.

19 (5) In Prince George's County:

20 (I) [the] THE hours DURING WHICH ON-SALE PRIVILEGES MAY BE  
21 EXERCISED are from 6 a.m. to 2 a.m. on the following day; AND

22 (II) IF OFF-SALE PRIVILEGES ARE ATTACHED TO THE LICENSE,  
23 THE HOURS DURING WHICH OFF-SALE PRIVILEGES MAY BE EXERCISED ARE FROM 9  
24 A.M. TO 2 A.M. ON THE FOLLOWING DAY.

25 11-302.

26 (a) (1) [The] EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, THE  
27 hours during which the privileges conferred by a Class A beer and light wine license  
28 may be exercised are from 6 a.m. to midnight on every day except Sunday.

29 (4) In Prince George's County the hours are from [6 a.m.] 9 A.M. to 2  
30 a.m. on the following day except on Sunday when sales are not permitted after 2 a.m.

31 (b) (1) [The] EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, THE  
32 hours during which the privileges conferred by a Class B beer and light wine license  
33 may be exercised are from 6 a.m. to midnight.

34 (5) In Prince George's County:

1 (I) [the] THE hours DURING WHICH ON-SALE PRIVILEGES MAY BE  
2 EXERCISED are from 6 a.m. to 2 a.m. on the following day; AND

3 (II) IF OFF-SALE PRIVILEGES ARE ATTACHED TO THE LICENSE,  
4 THE HOURS DURING WHICH OFF-SALE PRIVILEGES MAY BE EXERCISED ARE FROM 9  
5 A.M. TO 2 A.M. ON THE FOLLOWING DAY.

6 (d) (1) [The] EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, THE  
7 hours during which the privileges conferred by a Class D beer and light wine license  
8 may be exercised are from 6 a.m. to midnight.

9 (5) In Prince George's County:

10 (I) [the] THE hours DURING WHICH ON-SALE PRIVILEGES MAY BE  
11 EXERCISED are from 6 a.m. to 2 a.m. on the following day; AND

12 (II) IF OFF-SALE PRIVILEGES ARE ATTACHED TO THE LICENSE,  
13 THE HOURS DURING WHICH OFF-SALE PRIVILEGES MAY BE EXERCISED ARE FROM 9  
14 A.M. TO 2 A.M. ON THE FOLLOWING DAY.

15 11-303.

16 (a) (1) The hours during which the privileges conferred by a Class A beer,  
17 wine and liquor license may be exercised are from 6 a.m. to midnight, on every day  
18 except Sunday.

19 (2) The provisions of paragraph (1) of this subsection are superseded as  
20 follows:

21 (i) In Annapolis the hours may be fixed by the Mayor, Counselor,  
22 and Aldermen of the City of Annapolis;

23 (ii) In Frederick County holders of a Class A beer, wine and liquor  
24 (off-sale) license may sell beer, wine and liquor for off-premises consumption on  
25 Sundays from 1 p.m. to midnight if they hold a special Sunday opening permit;

26 (iii) In Kent County the provisions of § 11-515 of this article apply;

27 (IV) IN PRINCE GEORGE'S COUNTY THE HOURS ARE FROM 9 A.M. TO  
28 MIDNIGHT;

29 [(iv)] (V) In St. Mary's County holders of a Class A-1 license may  
30 sell on Sunday; and

31 [(v)] (VI) In Talbot County the hours are from 8 a.m. to [12]  
32 midnight.

33 (b) (1) [The] EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, THE  
34 hours during which the privileges conferred by a Class B beer, wine and liquor license  
35 may be exercised are from 6 a.m. to 2 a.m. on the following day.

1 (2) In Annapolis the hours shall be as fixed by the Mayor, Counselor, and  
2 Aldermen of the City of Annapolis.

3 (3) In Montgomery County, except as provided in § 11-516 of this article,  
4 the hours are from 9 a.m. on any day to 1 a.m. on the following day.

5 (4) In the 47th alcoholic beverages district in Baltimore City, the hours  
6 for off-sales under a Class B beer, wine and liquor license for use in a restaurant are  
7 as provided for in § 6-201(d) of this article.

8 (5) IN PRINCE GEORGE'S COUNTY:

9 (I) THE HOURS DURING WHICH ON-SALE PRIVILEGES MAY BE  
10 EXERCISED ARE FROM 6 A.M. TO 2 A.M. ON THE FOLLOWING DAY; AND

11 (II) IF OFF-SALE PRIVILEGES ARE ATTACHED TO THE LICENSE,  
12 THE HOURS DURING WHICH OFF-SALE PRIVILEGES MAY BE EXERCISED ARE FROM 9  
13 A.M. TO 2 A.M. ON THE FOLLOWING DAY.

14 (d) (1) [The] EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, THE  
15 hours during which the privileges conferred by a Class D beer, wine and liquor license  
16 may be exercised are from 6 a.m. to midnight.

17 (2) Except as otherwise provided in subsections (e) and (f) of this section,  
18 in Baltimore City the hours are from 6 a.m. to 1 a.m.

19 (3) In Baltimore County the hours are from 6 a.m. to 2 a.m.

20 (4) In Caroline County the hours on Monday through Saturday are from  
21 6 a.m. to 2 a.m. on the following day (including Sunday) for a 6-day license holder.  
22 For a 7-day license holder the hours on Monday through Saturday are from 6 a.m. to  
23 2 a.m. the following day (including Sunday), and on Sunday, from 1 p.m. to midnight.

24 (5) IN PRINCE GEORGE'S COUNTY:

25 (I) THE HOURS DURING WHICH ON-SALE PRIVILEGES MAY BE  
26 EXERCISED ARE FROM 6 A.M. TO 2 A.M. ON THE FOLLOWING DAY; AND

27 (II) IF OFF-SALE PRIVILEGES ARE ATTACHED TO THE LICENSE,  
28 THE HOURS DURING WHICH OFF-SALE PRIVILEGES MAY BE EXERCISED ARE FROM 9  
29 A.M. TO 2 A.M. ON THE FOLLOWING DAY.

30 [(5)] (6) In Queen Anne's County the hours on Monday through  
31 Saturday are from 6 a.m. to 2 a.m. on the following day.

32 [(6)] (7) In Wicomico County the hours are from 10 a.m. to 2 a.m.,  
33 Monday through Saturday. Where sales are permitted until 2 a.m., alcoholic  
34 beverages may not be consumed after 2:30 a.m., at which time all tables and bar  
35 areas shall be cleared of all alcoholic beverages.

1 11-517.

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

3 (b) (2) (i) Subject to subparagraph (ii) of this paragraph, a holder of a  
4 Class A retail "off-sale" alcoholic beverages license or a Class B or D alcoholic  
5 beverages license with off-sale privileges, or any agent, servant or employee of the  
6 holder, may not sell any alcoholic beverages for consumption off the licensed premises  
7 between [the hours of 12:00 a.m. and 6:00 a.m.] MIDNIGHT AND 9 A.M.

8 (e) The holder of a Class A (off-sale) license who offers for sale in his licensed  
9 premises commodities other than alcoholic beverages and is open on Sundays for the  
10 sale of such commodities shall keep all alcoholic beverages upon the premises in a  
11 separate beverage department securely closed and locked in a compartment,  
12 compartments or enclosure between [the hours of 12:00 a.m. on Sunday and 6:00  
13 a.m.] MIDNIGHT AND 9 A.M. the following Monday, subject to regulations of the Board  
14 of License Commissioners not inconsistent with the provisions hereof. The provisions  
15 of this subsection do not apply to alcoholic beverages in storage areas which are not  
16 open to the public.

17 (f) Notwithstanding any other provisions of this article, but in addition  
18 thereto the holder of a beer, wine and liquor license, Class B, his agents, servants or  
19 employees may not sell any alcoholic beverages for consumption off the licensed  
20 premises between [the hours of 12:00 a.m. and 6:00 a.m.] MIDNIGHT AND 9 A.M. or on  
21 Sunday after [12:00 a.m.] MIDNIGHT from any separate store established on the  
22 licensed premises as an "off-sale store" or to keep an "off-sale store" open for business  
23 on Sunday after [12:00 a.m.] MIDNIGHT except that beer and light wine only may be  
24 sold from an ["off-sale" store] "OFF-SALE STORE" which is attached to and a part of  
25 the licensed premises on Sunday after [8:00 a.m. until 12:00 a.m.] 8 A.M. UNTIL  
26 MIDNIGHT the day following. For the purpose of this provision, the Board of License  
27 Commissioners shall determine by reasonable standards what shall constitute an  
28 "off-sale store". Nothing further herein shall be construed to permit sales at any time  
29 between [12:00 a.m. and 6:00 a.m.] MIDNIGHT AND 9 A.M. of any day.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
31 June 1, 2006.