

---

By: **Senator Della**

Introduced and read first time: January 26, 2006

Assigned to: Education, Health, and Environmental Affairs

---

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 28, 2006

---

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Baltimore City - Alcoholic Beverages - After Hours Food Service by Class D**  
 3 **Licensees - 46th Legislative District**

4 FOR the purpose of authorizing the Board of Liquor License Commissioners for  
 5 Baltimore City to allow holders of a Class D beer, wine and liquor license that  
 6 operate a restaurant in the 46th Legislative District to remain open after hours  
 7 only to serve food under a certain condition; making a conforming change; and  
 8 generally relating to holders of Class D alcoholic beverages licenses in Baltimore  
 9 City.

10 BY repealing and reenacting, with amendments,  
 11 Article 2B - Alcoholic Beverages  
 12 Section 11-304(d)(3) and 11-503(b)(1)  
 13 Annotated Code of Maryland  
 14 (2005 Replacement Volume)

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

17 **Article 2B - Alcoholic Beverages**

18 11-304.

19 (d) (3) Notwithstanding paragraph (2) of this subsection, the Board of  
 20 Liquor License Commissioners may grant an exemption for remaining open after  
 21 hours to:

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

3 (ii) A pharmacy that fills prescriptions; OR

4 (III) A HOLDER OF A CLASS D BEER, WINE AND LIQUOR LICENSE  
5 THAT OPERATES A RESTAURANT, IF:

6 1. IT IS USED ONLY FOR SERVING FOOD TO PATRONS  
7 SEATED FOR DINING IN A DINING ROOM THAT IS NOT ADJACENT TO A BAR; AND

8 2. THE RESTAURANT IS LOCATED IN THE 46TH LEGISLATIVE  
9 DISTRICT IN THE LEGISLATIVE DISTRICTING PLAN OF 2002 AS ORDERED BY THE  
10 MARYLAND COURT OF APPEALS ON JUNE 21, 2002.

11 11-503.

12 (b) (1) Except as provided in paragraph (2) of this subsection AND §  
13 11-304(D)(3)(III) OF THIS TITLE, no sales shall be allowed by the holder of a Class D,  
14 beer, wine and liquor license (without amusement permit) between the hours of 1 a.m.  
15 on Sunday and 6 a.m. the following day.

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