

HOUSE BILL 276

A2

8lr1658
CF SB 292

By: **Delegate Beitzel**

Introduced and read first time: January 23, 2008

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 4, 2008

CHAPTER _____

1 AN ACT concerning

2 **Garrett County – Alcoholic Beverages – Referendum on Sunday Sales in**
3 **County Districts**

4 FOR the purpose of authorizing Sunday sales of certain alcoholic beverages in those
5 election districts of Garrett County in which voters approve a local referendum
6 in favor of Sunday sales under certain circumstances; providing for the
7 referendum and an effective date; requiring the Board of Supervisors of
8 Elections of Garrett County to carry out certain duties; and generally relating to
9 alcoholic beverages in Garrett County.

10 BY repealing and reenacting, without amendments,
11 Article 2B – Alcoholic Beverages
12 Section 11–512(a)
13 Annotated Code of Maryland
14 (2005 Replacement Volume and 2007 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article 2B – Alcoholic Beverages
17 Section 11–512(c)
18 Annotated Code of Maryland
19 (2005 Replacement Volume and 2007 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**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 11-512.

2 (a) This section applies only in Garrett County.

3 (c) (1) The provisions of this subsection apply [only] in:

4 (I) [election] **ELECTION** districts 11 and 15 [In those election
5 districts], **IN WHICH** the voters [have] approved Sunday sales in the referendum
6 authorized by law in November 1996[.]; **AND**

7 (II) **ANY OTHER ELECTION DISTRICT IN WHICH THE VOTERS**
8 **IN A REFERENDUM AUTHORIZED BY LAW APPROVE SUNDAY SALES AS SPECIFIED**
9 **IN THIS SUBSECTION.**

10 (2) This subsection only applies to on-premises sales by holders of
11 Class C service club licenses and, subject to paragraph (4) of this subsection, holders of
12 Class B licenses, special 2-day Class C licenses, special 6-day Class C licenses, and
13 special 12-day Class C licenses.

14 (3) Sunday sales may begin, where permitted, at 1 p.m. and continue
15 until 10 p.m.

16 (4) (i) This paragraph does not apply to a holder of a Class C
17 service club license.

18 (ii) Sunday sales may be made only when the consumer places
19 an order for a meal simultaneously or prior to placing an order for an alcoholic
20 beverage or the consumer is otherwise entitled to a meal on the premises as part of a
21 prearranged event, such as a banquet, where the alcoholic beverage is served. Bar or
22 counter sales may be made as long as the consumer complies with the requirement of
23 this paragraph.

24 (5) In addition to the usual license fee, the holder of a Class C service
25 club license or Class B license who wants to provide Sunday sales and who is
26 otherwise eligible to provide Sunday sales under this subsection shall pay an
27 additional \$250 for the privilege of Sunday sales.

28 (6) At the time the Class C service club license or Class B license is
29 issued, the Board shall charge a \$250 issuing fee.

30 **SECTION 2. AND BE IT FURTHER ENACTED,** That before this Act becomes
31 effective, it shall be first submitted to a referendum of the legally qualified voters of
32 election districts 1, 2, 3-1, 3-2, 4, 5, 6, 7, 8-1, 8-2, 9, 10, 12, 13, 14-1, 14-2, and 16 in
33 Garrett County at the general election to be held in November of 2008. The Board of
34 County Commissioners and the Board of Supervisors of Elections of Garrett County
35 shall do those things necessary and proper to provide for and hold the referendum

1 required by this section. If a majority of the votes cast in an election district on the
2 question are “For the referred law”, the provisions of this Act shall become effective in
3 that election district on December 15, 2008, but if a majority of the votes cast in a
4 particular election district on the question are “Against the referred law”, the
5 provisions of this Act are of no effect and null and void in that election district. The
6 Board of Supervisors of Elections in Garrett County shall notify the State Department
7 of Legislative Services concerning the results of the referendum in each election
8 district.

9 SECTION 3. AND BE IT FURTHER ENACTED, That, subject to the provisions
10 of Section 2 of this Act, and for the sole purpose of providing for the referendum
11 required by Section 2 of this Act, this Act shall take effect July 1, 2008.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.