

HOUSE BILL 382

A2

8lr1920

By: **Cecil County Delegation**

Introduced and read first time: January 28, 2008

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Cecil County – Alcoholic Beverages – Restaurants – Percentage of Receipts**
3 **from Food Sales**

4 FOR the purpose of altering the minimum percentage of annual receipts from the sale
5 of food required of a restaurant licensed to sell alcoholic beverages in Cecil
6 County; and generally relating to alcoholic beverages in Cecil County.

7 BY repealing and reenacting, with amendments,
8 Article 2B – Alcoholic Beverages
9 Section 11–508
10 Annotated Code of Maryland
11 (2005 Replacement Volume and 2007 Supplement)

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

14 **Article 2B – Alcoholic Beverages**

15 11–508.

16 (a) (1) In Cecil County, notwithstanding any other provisions of this
17 subtitle, the hours during which sales of any alcoholic beverages may be made under
18 any class of license issued under this article on any day, Monday through Saturday,
19 are from 6 a.m. daily to 2 a.m. on the following day. It is unlawful for any person to
20 sell or for any person to consume any alcoholic beverages on any premises licensed
21 under this article between the hours of 2 a.m. and 6 a.m. on any day of the week or at
22 any time on Sunday between 2 a.m. and 8 a.m. It is lawful for Class C “on–sale” (clubs)
23 beer, beer and light wine, or beer, wine and liquor licensees in Cecil County to permit
24 the sale and consumption of alcoholic beverages between the hours of 8 a.m. and 11
25 p.m. on Sundays and as provided in § 11–402(i) of this article.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) Subject to paragraph (3) of this subsection, it is lawful for a
2 licensee in Cecil County to sell alcoholic beverages authorized by its license on Sunday
3 during the following hours:

4 (i) For a Class A license, between 8 a.m. and 11 p.m.;

5 (ii) For a Class B license or a Class BLX beer, wine and liquor
6 license, between 8 a.m. and 11 p.m.; and

7 (iii) For a Class D license, between 1 p.m. and 10 p.m.

8 (3) (i) Except for a holder of a Class BLX beer, wine and liquor
9 license, a licensee who seeks to sell alcoholic beverages within the times allowed under
10 paragraph (2) of this subsection must first pay an additional license fee of \$500.

11 (ii) "On-sales" may be conducted within the times allowed
12 under paragraph (2) of this subsection only by a licensee who is:

13 1. A restaurant, as defined under subsection (b) of this
14 section; or

15 2. A holder of a Class BLX beer, wine and liquor license.

16 (b) For the purpose of subsection (a) of this section, "restaurant" means a
17 business establishment for the accommodation of the public:

18 (1) That is fully equipped with a proper and adequate dining room and
19 with sufficient facilities for preparing and serving meals;

20 (2) That has been approved by the Board of License Commissioners of
21 Cecil County; and

22 (3) Wherein the average annual receipts from the sale of food comprise
23 at least [51 percent] **25%** of the average receipts of the business.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 July 1, 2008.