

# HOUSE BILL 545

A2

(8lr1118)

## **ENROLLED BILL**

*—Economic Matters / Education, Health, and Environmental Affairs—*

Introduced by **Dorchester County Delegation**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Dorchester County – Alcoholic Beverages Act of 2008**

3 FOR the purpose of repealing the off-sale privilege of a Class B beer and light wine  
4 license in Dorchester County on and after a certain date; authorizing a holder of  
5 a Class B (on-sale and off-sale) beer and light wine license in Dorchester  
6 County that is issued on or before a certain date to continue to exercise the  
7 privileges of the license and to renew the license; prohibiting the Board of  
8 License Commissioners from approving the transfer of a certain license on or  
9 before a certain date; repealing a requirement that a holder of a certain license  
10 must purchase wine from the Dorchester County Liquor Control Board  
11 Dispensaries; clarifying that certain restaurants may obtain a certain license  
12 from the Board of License Commissioners; clarifying that a certain license  
13 provides for the consumption of beer, wine, and liquor; providing certain  
14 penalties for the violation of certain requirements regarding catering events;  
15 authorizing the Board of License Commissioners to grant a special license

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**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.

*Italics indicate opposite chamber / conference committee amendments.*



1 entitling the holder to exercise certain privileges at an event conducted by a not  
 2 for profit club, society, association, or organization; requiring an applicant for a  
 3 special license to submit to the Board of License Commissioners a certain  
 4 application on a certain form; authorizing the issuance of Class A beer and wine  
 5 licenses for certain premises under certain circumstances; *clarifying and*  
 6 altering the hours of sale for certain licenses; and generally relating to alcoholic  
 7 beverages in Dorchester County.

8 BY repealing and reenacting, with amendments,

9 Article 2B – Alcoholic Beverages

10 Section 5–201(k), 6–201(k), 7–101(b)(6) ~~and~~, (d)(7), and (n)(2) and (3),  
 11 9–102(b–6), and 11–510(b)(10), (11), (12), and (13)

12 Annotated Code of Maryland

13 (2005 Replacement Volume and 2007 Supplement)

14 BY repealing and reenacting, without amendments,

15 Article 2B – Alcoholic Beverages

16 Section 7–101(n)(1) and 11–510(a)

17 Annotated Code of Maryland

18 (2005 Replacement Volume and 2007 Supplement)

19 BY adding to

20 Article 2B – Alcoholic Beverages

21 Section 11–510(b)(14)

22 Annotated Code of Maryland

23 (2005 Replacement Volume and 2007 Supplement)

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

26 **Article 2B – Alcoholic Beverages**

27 5–201.

28 (k) (1) In Dorchester County the annual license fee is \$300.

29 (2) [A] **ON OR AFTER JULY 1, 2008**, A Class B (on–sale [and  
 30 off–sale]) beer and light wine license shall be issued:

31 (i) Only to restaurants; and

32 (ii) Without seating capacity restrictions.

33 (3) [The holder of a license shall purchase all of the wine sold under  
 34 this license from Dorchester County Liquor Control Board Dispensaries.] **A HOLDER**

1 **OF A CLASS B (ON-SALE AND OFF-SALE) BEER AND LIGHT WINE LICENSE**  
2 **ISSUED ON OR BEFORE JUNE 30, 2008, MAY:**

3 (I) **CONTINUE TO EXERCISE ALL OF THE PRIVILEGES OF**  
4 **THE LICENSE THROUGHOUT THE TERM OF THE LICENSE; AND**

5 (II) **RENEW THE LICENSE.**

6 (4) **THE DORCHESTER COUNTY BOARD OF LICENSE**  
7 **COMMISSIONERS MAY NOT APPROVE THE TRANSFER OF A CLASS B (ON-SALE**  
8 **AND OFF-SALE) BEER AND LIGHT WINE LICENSE ISSUED ON OR BEFORE JUNE**  
9 **30, 2008.**

10 6-201.

11 (k) (1) This subsection applies only in Dorchester County.

12 (2) (i) Bona fide restaurants, motels and hotels having restaurant  
13 facilities for serving full-course meals at least twice daily and seating capacity at  
14 tables for 75 or more persons, not including seats at bars or counters, may obtain a  
15 license from the [County Commissioners] **BOARD OF LICENSE COMMISSIONERS.**  
16 This license entitles the licensee to sell beer, wines, and liquors.

17 (ii) The annual license fee is \$1,000.

18 (3) This license provides for the consumption of **BEER**, [wine] **WINE**,  
19 and liquor on the premises only.

20 7-101.

21 (b) (6) In Dorchester County:

22 (i) A holder of a special Class C beer license or a special Class C  
23 beer and wine license may cater an event at the place described in the license on the  
24 effective days of the license;

25 (ii) The fee is \$15 per day; and

26 (iii) A holder of a special Class C beer license or a special Class C  
27 beer and wine license:

28 1. Shall distribute at the event for which the license is  
29 issued a wristband to each individual who is at least 21 years old; and

30 2. May not serve an alcoholic beverage to any individual  
31 who does not wear the wristband.

1 (IV) A PERSON WHO VIOLATES THIS PARAGRAPH IS SUBJECT  
2 TO:

3 1. FOR THE FIRST OFFENSE, A FINE OF \$50; AND

4 2. FOR THE SECOND OFFENSE, A FINE NOT  
5 EXCEEDING \$500 AND DENIAL OF FURTHER REQUESTS FOR LICENSES FOR  
6 CATERING ADDITIONAL EVENTS.

7 (d) (7) In Dorchester County:

8 (i) A holder of a special Class C beer, wine and liquor license  
9 may cater an event at the place described in the license on the effective days of the  
10 license;

11 (ii) The fee is \$25 per day; and

12 (iii) A holder of a special Class C beer, wine and liquor license:

13 1. Shall distribute at the event for which the license is  
14 issued a wristband to each individual who is at least 21 years old; and

15 2. May not serve an alcoholic beverage to any individual  
16 who does not wear the wristband.

17 (IV) A PERSON WHO VIOLATES THIS PARAGRAPH IS SUBJECT  
18 TO:

19 1. FOR THE FIRST OFFENSE, A FINE OF \$50; AND

20 2. FOR THE SECOND OFFENSE, A FINE NOT  
21 EXCEEDING \$500 AND DENIAL OF FURTHER REQUESTS FOR LICENSES FOR  
22 CATERING ADDITIONAL EVENTS.

23 (n) (1) This subsection applies only in Dorchester County.

24 (2) The Board of License Commissioners may grant a special license of  
25 any class, except for any license issued by the Comptroller, that entitles the holder to  
26 exercise any of the privileges conferred by that class at an event conducted by a NOT  
27 FOR PROFIT club, society, association, or organization.

28 (3) [A license shall be in the form provided by the Board, and the  
29 licensee shall sign the license.] AN APPLICANT FOR A LICENSE SHALL SUBMIT TO

1 THE BOARD A COMPLETED, SIGNED, AND NOTARIZED APPLICATION ON THE  
2 FORM THAT THE BOARD PROVIDES.

3 9–102.

4 (b–6) (1) Notwithstanding any other provision of this section, in Dorchester  
5 County an additional Class A beer license **OR CLASS A BEER AND WINE LICENSE**  
6 may be issued for any premises licensed under a Class B or Class D license.

7 (2) The Board of License Commissioners of Dorchester County may  
8 limit the number of additional Class A beer licenses **AND CLASS A BEER AND WINE**  
9 **LICENSES** that it issues.

10 11–510.

11 (a) This section applies only in Dorchester County.

12 (b) Notwithstanding any other provisions of this subtitle, the hours for sale  
13 for alcoholic beverages are as follows:

14 (10) For the holders of a Class A beer and light wine license, sales are  
15 permitted:

16 (i) Monday through Saturday from 6 a.m. through [1 a.m. the  
17 following day] **MIDNIGHT**; and

18 (ii) Sunday from [12 noon] **6 A.M.** through [12] midnight, except  
19 if Christmas Eve or New Year's Eve is on a Sunday, from [12 noon] **6 A.M.** through 2  
20 a.m. the following day.

21 (11) For the holders of a Class C beer and light wine license, sales are  
22 permitted:

23 (i) Monday through Saturday from 6 a.m. through 1:45 a.m. the  
24 following day; and

25 (ii) Sunday from [12] noon through [12] midnight, except if  
26 Christmas Eve or New Year's Eve is on a Sunday, from [12] noon through 2 a.m. the  
27 following day.

28 (12) For the holders of a Class D beer and light wine license, sales are  
29 permitted:

30 (i) Monday through Saturday from 6 a.m. through 1:45 a.m. the  
31 following day; and

1 (ii) Sunday from [12] noon through [12] midnight, except if  
 2 Christmas Eve or New Year's Eve is on a Sunday, from [12] noon through 2 a.m. the  
 3 following day.

4 (13) For the holders of a Class A beer, wine and liquor license, sales are  
 5 permitted:

6 (i) Monday through Saturday from 6 a.m. through [12]  
 7 midnight [the following day]; and

8 (ii) Sunday from [12 noon] **6 A.M.** through [12] midnight, except  
 9 if Christmas Eve or New Year's Eve is on a Sunday, from [12 noon] **6 A.M.** through 2  
 10 a.m. the following day.

11 **(14) FOR THE HOLDERS OF A CLASS D BEER, WINE AND LIQUOR**  
 12 **LICENSE, SALES ARE ALLOWED:**

13 **(I) MONDAY THROUGH SATURDAY FROM 6 A.M. THROUGH**  
 14 **1:45 A.M. THE FOLLOWING DAY; AND**

15 **(II) SUNDAY FROM NOON THROUGH MIDNIGHT, EXCEPT IF**  
 16 **CHRISTMAS EVE OR NEW YEAR'S EVE IS ON A SUNDAY, FROM NOON THROUGH**  
 17 **2 A.M. THE FOLLOWING DAY.**

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

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.