

HOUSE BILL 545

A2

8lr1118
CF SB 154

By: **Dorchester County Delegation**

Introduced and read first time: January 31, 2008

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 4, 2008

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
16 entitling the holder to exercise certain privileges at an event conducted by a not
17 for profit club, society, association, or organization; requiring an applicant for a
18 special license to submit to the Board of License Commissioners a certain
19 application on a certain form; authorizing the issuance of Class A beer and wine
20 licenses for certain premises under certain circumstances; altering the hours of
21 sale for certain licenses; and generally relating to alcoholic beverages in
22 Dorchester County.

23 BY repealing and reenacting, with amendments,
24 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 Section 5-201(k), 6-201(k), 7-101(b)(6) ~~and~~, (d)(7), and (n)(2) and (3),
 2 9-102(b-6), and 11-510(b)(10), (11), (12), and (13)
 3 Annotated Code of Maryland
 4 (2005 Replacement Volume and 2007 Supplement)

5 BY repealing and reenacting, without amendments,
 6 Article 2B – Alcoholic Beverages
 7 Section 7-101(n)(1) and 11-510(a)
 8 Annotated Code of Maryland
 9 (2005 Replacement Volume and 2007 Supplement)

10 BY adding to
 11 Article 2B – Alcoholic Beverages
 12 Section 11-510(b)(14)
 13 Annotated Code of Maryland
 14 (2005 Replacement Volume and 2007 Supplement)

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 5-201.

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

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

22 (i) Only to restaurants; and

23 (ii) Without seating capacity restrictions.

24 (3) [The holder of a license shall purchase all of the wine sold under
 25 this license from Dorchester County Liquor Control Board Dispensaries.] **A HOLDER**
 26 **OF A CLASS B (ON-SALE AND OFF-SALE) BEER AND LIGHT WINE LICENSE**
 27 **ISSUED ON OR BEFORE JUNE 30, 2008, MAY:**

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

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

31 (4) **THE DORCHESTER COUNTY BOARD OF LICENSE**
 32 **COMMISSIONERS MAY NOT APPROVE THE TRANSFER OF A CLASS B (ON-SALE**

1 **AND OFF-SALE) BEER AND LIGHT WINE LICENSE ISSUED ON OR BEFORE JUNE**
2 **30, 2008.**

3 6-201.

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

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

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

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

13 7-101.

14 (b) (6) In Dorchester County:

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

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

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

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

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

25 (IV) **A PERSON WHO VIOLATES THIS PARAGRAPH IS SUBJECT**
26 **TO:**

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

28 2. **FOR THE SECOND OFFENSE, A FINE NOT**
29 **EXCEEDING \$500 AND DENIAL OF FURTHER REQUESTS FOR LICENSES FOR**
30 **CATERING ADDITIONAL EVENTS.**

31 (d) (7) In Dorchester County:

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

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

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

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

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

10 (IV) **A PERSON WHO VIOLATES THIS PARAGRAPH IS SUBJECT**
11 **TO:**

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

13 **2. FOR THE SECOND OFFENSE, A FINE NOT**
14 **EXCEEDING \$500 AND DENIAL OF FURTHER REQUESTS FOR LICENSES FOR**
15 **CATERING ADDITIONAL EVENTS.**

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

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

21 (3) [A license shall be in the form provided by the Board, and the
22 licensee shall sign the license.] AN APPLICANT FOR A LICENSE SHALL SUBMIT TO
23 THE BOARD A COMPLETED, SIGNED, AND NOTARIZED APPLICATION ON THE
24 FORM THAT THE BOARD PROVIDES.

25 9-102.

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

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

1 11-510.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 **(I) MONDAY THROUGH SATURDAY FROM 6 A.M. THROUGH**
4 **1:45 A.M. THE FOLLOWING DAY; AND**

5 **(II) SUNDAY FROM NOON THROUGH MIDNIGHT, EXCEPT IF**
6 **CHRISTMAS EVE OR NEW YEAR’S EVE IS ON A SUNDAY, FROM NOON THROUGH**
7 **2 A.M. THE FOLLOWING DAY.**

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.