

CHAPTER 655

(House Bill 276)

AN ACT concerning

Garrett County – Alcoholic Beverages – Referendum on Sunday Sales in County Districts

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

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

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 11–512(c)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

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

Article 2B – Alcoholic Beverages

11–512.

(a) This section applies only in Garrett County.

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

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

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

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

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

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

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

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

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

SECTION 2. AND BE IT FURTHER ENACTED, That before this Act becomes effective, it shall be first submitted to a referendum of the legally qualified voters of 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 Garrett County at the general election to be held in November of 2008. The Board of County Commissioners and the Board of Supervisors of Elections of Garrett County shall do those things necessary and proper to provide for and hold the referendum required by this section. If a majority of the votes cast in an election district on the question are "For the referred law", the provisions of this Act shall become effective in that election district on December 15, 2008, but if a majority of the votes cast in a particular election district on the question are "Against the referred law", the provisions of this Act are of no effect and null and void in that election district. The Board of Supervisors of Elections in Garrett County shall notify the State Department of Legislative Services concerning the results of the referendum in each election district.

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

Approved by the Governor, May 22, 2008.