

HOUSE BILL 1025

A2

9lr1446

By: **Prince George's County Delegation**

Introduced and read first time: February 13, 2009

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - Alcoholic Beverages - Revocation of Class C**
3 **Licenses for After Hours Sales**

4 **PG 321-09**

5 FOR the purpose of requiring the Prince George's County Board of License
6 Commissioners to revoke the license of a holder of a certain license as a result of
7 a conviction for unlawfully making sales after hours under certain conditions;
8 providing for the construction and application of this Act; and generally relating
9 to alcoholic beverages licenses in Prince George's County.

10 BY repealing and reenacting, without amendments,
11 Article 2B - Alcoholic Beverages
12 Section 10-401(g)(1) and (2)
13 Annotated Code of Maryland
14 (2005 Replacement Volume and 2008 Supplement)

15 BY adding to
16 Article 2B - Alcoholic Beverages
17 Section 10-401(g)(8)
18 Annotated Code of Maryland
19 (2005 Replacement Volume and 2008 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**

23 10-401.

24 (g) (1) This subsection applies only in Prince George's County.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (2) (i) The term “conviction” in this subsection includes:
- 2 1. A verdict or plea of guilty; or
- 3 2. The forfeiture of a bond or collateral accepted on any
4 pending charge, warrant, or indictment before any court; or
- 5 3. The revocation or suspension of an alcoholic beverage
6 license by the Board because of a violation of any provision of this article or
7 regulations promulgated under it.
- 8 (ii) For the purpose of this subsection two or more violations
9 against the same licensee, agent, servant or employee or affecting the same premises
10 occurring on the same day shall be considered to be one offense. The provisions of this
11 subsection are applicable only to violations and offenses occurring after June 1, 1957.

12 **(8) THE BOARD SHALL REVOKE THE LICENSE OF A HOLDER OF A**
13 **CLASS C BEER, CLASS C BEER AND LIGHT WINE, OR CLASS C BEER, WINE AND**
14 **LIQUOR LICENSE AS A RESULT OF A CONVICTION FOR UNLAWFULLY MAKING**
15 **SALES AFTER HOURS IF THAT CONVICTION IS THE THIRD TIME WITHIN 3 YEARS**
16 **THAT THE HOLDER HAS BEEN CONVICTED FOR UNLAWFULLY MAKING SALES**
17 **AFTER HOURS.**

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
19 construed to apply only prospectively to a third conviction for unlawfully making sales
20 after hours and may not be applied or interpreted to have any effect on or application
21 to a third conviction for unlawfully making sales after hours before the effective date
22 of this Act.

23 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 July 1, 2009.