

HOUSE BILL 1499

A2
HB 1029/08 – ECM

9lr3223

By: **Prince George's County Delegation**
Introduced and read first time: March 4, 2009
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Alcoholic Beverages – Licenses for Specialty Stores**

3 **PG 331-09**

4 FOR the purpose of authorizing the Board of License Commissioners of Prince
5 George's County to issue a Class A (off-sale) beer and light wine license to
6 certain specialty stores; prohibiting a holder of a license to use more than a
7 certain percentage of gross floor space for the display and sale of beer and light
8 wine; and generally relating to alcoholic beverages in Prince George's County.

9 BY repealing and reenacting, without amendments,
10 Article 2B – Alcoholic Beverages
11 Section 5-101(a)(1) and 9-217(a)
12 Annotated Code of Maryland
13 (2005 Replacement Volume and 2008 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article 2B – Alcoholic Beverages
16 Section 5-101(r) and 9-217(h)
17 Annotated Code of Maryland
18 (2005 Replacement Volume and 2008 Supplement)

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

21 **Article 2B – Alcoholic Beverages**
22 5-101.

23 (a) (1) A Class A beer and light wine license shall be issued by the license
24 issuing authority of the county in which the place of business is located. The holder of
25 the license may keep for sale and sell beer and light wines at retail, in any quantity to

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 any consumers, at the place described in the license. The holder shall deliver the beer
2 and light wines in a sealed package or container, which package or container may not
3 be opened nor its contents consumed on the premises where sold.

4 (r) (1) **THIS SUBSECTION APPLIES ONLY IN PRINCE GEORGE'S**
5 **COUNTY.**

6 (2) [In Prince George's County the] **THE** annual license fee is \$220.

7 (3) **SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE**
8 **BOARD OF LICENSE COMMISSIONERS MAY ISSUE A LICENSE TO:**

9 (I) **A SPECIALTY FOOD STORE THAT DOES NOT EXCEED**
10 **25,000 SQUARE FEET OF FLOOR SPACE;**

11 (II) **A SPECIALTY STORE THAT SELLS FOOD, BEER, WINE,**
12 **CLOTHING, FURNITURE, OR OTHER GENERAL MERCHANDISE AND THAT DOES**
13 **NOT EXCEED 50,000 SQUARE FEET OF FLOOR SPACE; OR**

14 (III) **A SPECIALTY FOOD STORE THAT EXCEEDS 100,000**
15 **SQUARE FEET OF FLOOR SPACE.**

16 (4) **A HOLDER OF A LICENSE FOR AN ESTABLISHMENT LISTED**
17 **UNDER PARAGRAPH (3) OF THIS SUBSECTION MAY NOT USE MORE THAN 15% OF**
18 **THE GROSS FLOOR SPACE FOR THE DISPLAY AND SALE OF BEER AND WINE.**

19 9-217.

20 (a) This section applies only in Prince George's County.

21 (h) (1) Except as provided in [paragraph (2)] **PARAGRAPHS (2) AND (3)**
22 of this subsection, an alcoholic beverage license with an off-sale privilege of any class,
23 except by way of renewal, may not be transferred or issued to any business
24 establishment of the type commonly known as chain stores, supermarkets, discount
25 houses or their franchisors and franchisees or concessionaires. However, those
26 establishments holding an alcoholic beverage license at the time of enactment of this
27 section may continue to hold such license, and may, at the discretion of the Board of
28 License Commissioners, change the classification of their license.

29 (2) Notwithstanding any other provision of this article, the Board of
30 License Commissioners may approve the transfer from the 47th alcoholic beverages
31 district to the 21st alcoholic beverages district of one Class D beer and light wine
32 license with an off-sale privilege for use by a supermarket or similar type of premises.

1 **(3) THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE A**
2 **CLASS A BEER AND LIGHT WINE LICENSE TO A STORE LISTED UNDER §**
3 **5-101(R)(3) OF THIS ARTICLE.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 July 1, 2009.