

SENATE BILL 490

A2

9lr2238

By: **Senator Rosapepe**

Introduced and read first time: February 4, 2009

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

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

3 FOR the purpose of authorizing the Board of License Commissioners of Prince
4 George's County to issue a Class A (off-sale) beer and light wine license to
5 certain specialty stores located in a certain redevelopment area in the City of
6 Laurel; establishing the number of certain licenses that may be issued to
7 specialty stores; and generally relating to alcoholic beverages in Prince George's
8 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(b)(5) and (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
26 any consumers, at the place described in the license. The holder shall deliver the beer

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 and light wines in a sealed package or container, which package or container may not
2 be opened nor its contents consumed on the premises where sold.

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

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

6 (3) (I) **THIS PARAGRAPH APPLIES ONLY TO A STORE LOCATED**
7 **IN A DEVELOPMENT APPROVED AS PART OF REDEVELOPMENT AREA 1 (RO 1)**
8 **OF THE CITY OF LAUREL, AS OUTLINED IN THE CITY’S ADOPTED MASTER PLAN**
9 **OR THE CITY’S DESIGNATED BRAC ZONE.**

10 (II) **THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE A**
11 **LICENSE TO:**

12 1. **A SPECIALTY FOOD STORE THAT HAS AT LEAST**
13 **15,000 SQUARE FEET OF FLOOR SPACE BUT DOES NOT EXCEED 25,000 SQUARE**
14 **FEET OF FLOOR SPACE; OR**

15 2. **A SPECIALTY STORE THAT SELLS FOOD, BEER,**
16 **WINE, CLOTHING, FURNITURE, OR OTHER GENERAL MERCHANDISE AND THAT**
17 **DOES NOT EXCEED 50,000 SQUARE FEET OF FLOOR SPACE.**

18 9–217.

19 (a) This section applies only in Prince George’s County.

20 (b) The number of licenses of each class of alcoholic beverage licenses may
21 not exceed the following maximum amounts:

22 (5) Beer and light wine license, Class A [.....26]

23 (I) **UNDER § 5–101(A) OF THIS ARTICLE.....26**

24 (II) **UNDER § 5–101(R)(3) OF THIS ARTICLE.....1**

25 (h) (1) Except as provided in [paragraph (2)] **PARAGRAPHS (2) AND (3)**
26 **of this subsection, an alcoholic beverage license with an off–sale privilege of any class,**
27 **except by way of renewal, may not be transferred or issued to any business**
28 **establishment of the type commonly known as chain stores, supermarkets, discount**
29 **houses or their franchisors and franchisees or concessionaires. However, those**
30 **establishments holding an alcoholic beverage license at the time of enactment of this**

1 section may continue to hold such license, and may, at the discretion of the Board of
2 License Commissioners, change the classification of their license.

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

7 (3) **THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE A**
8 **CLASS A BEER AND LIGHT WINE LICENSE TO A STORE LISTED UNDER §**
9 **5-101(R)(3) OF THIS ARTICLE.**

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