

HOUSE BILL 1313

A1

11r2832

By: **Delegate Myers**

Introduced and read first time: March 2, 2011

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Alcoholic Beverages – Class A Licensees – Closing Hours**

3 FOR the purpose of altering the closing hours for certain Class A alcoholic beverages
4 licensees in the State that offer alcoholic beverages for sale for consumption off
5 the premises; and generally relating to the sale of alcoholic beverages in the
6 State.

7 BY repealing and reenacting, with amendments,
8 Article 2B – Alcoholic Beverages
9 Section 11–301(a), 11–302(a), 11–303(a)(1) and (2)(iv) and (vii), 11–403(a)(8)(i)
10 and (b)(2)(vi)1, 11–502(a), 11–508(a)(1), 11–509(a), 11–510(b)(1), (10), and
11 (13), 11–511(d)(2)(ii), (3)(ii), and (4)(ii), 11–512(b)(1), 11–515(c),
12 11–516(d)(1), 11–519, 11–520, 11–522, and 11–524(c)(1) and (5)
13 Annotated Code of Maryland
14 (2005 Replacement Volume and 2010 Supplement)

15 BY repealing and reenacting, without amendments,
16 Article 2B – Alcoholic Beverages
17 Section 11–510(a), 11–511(a) and (d)(2)(i), (3)(i), and (4)(i), 11–512(a), 11–515(a),
18 and 11–516(a)
19 Annotated Code of Maryland
20 (2005 Replacement Volume and 2010 Supplement)

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

23 **Article 2B – Alcoholic Beverages**

24 11–301.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) (1) Except as otherwise provided in this subsection, the hours during
2 which the privileges conferred by a Class A beer license may be exercised are from 6
3 a.m. to [midnight] **11 P.M.**, on every day except Sunday.

4 (2) In Frederick County, the hours of operation are[:

5 (i) On Monday through Saturday, from 6 a.m. to 2 a.m. the
6 following day; and

7 (ii) On] **ON** Sunday, from 11 a.m. to [2 a.m. the following day]
8 **11 P.M.**

9 (3) In Montgomery County the hours are as provided in § 11–516(d)(1).

10 (4) In Prince George’s County the hours are from 6 a.m. to [2 a.m. on
11 the day following] **11 P.M.**, except on Sunday when sales are not permitted after 2
12 a.m.

13 (5) In Washington County, the hours of sale are as provided under §
14 11–522 of this article.

15 11–302.

16 (a) (1) Except as otherwise provided in this subsection, the hours during
17 which the privileges conferred by a Class A beer and light wine license may be
18 exercised are from 6 a.m. to [midnight] **11 P.M.** on every day except Sunday.

19 (2) In the Park Heights Redevelopment Area that is specified in the
20 Park Heights Master Plan adopted by Baltimore City in 2006, the hours of sale begin
21 at 9 a.m. each day.

22 (3) In Frederick County, the hours of operation are:

23 (i) On Monday through Saturday, from 6 a.m. to [2 a.m. the
24 following day] **11 P.M.**; and

25 (ii) On Sunday, from 11 a.m. to [2 a.m. the following day] **11**
26 **P.M.**

27 (4) In Montgomery County the hours are as provided in § 11–516(d)(1).

28 (5) In Prince George’s County the hours are from 6 a.m. to [2 a.m. on
29 the following day] **11 P.M.**, except on Sunday when sales are not permitted after 2
30 a.m.

31 11–303.

1 (a) (1) The hours during which the privileges conferred by a Class A beer,
2 wine and liquor license may be exercised are from 6 a.m. to [midnight] **11 P.M.**, on
3 every day except Sunday.

4 (2) The provisions of paragraph (1) of this subsection are superseded
5 as follows:

6 (iv) In Frederick County holders of a Class A beer, wine and
7 liquor (off-sale) license may sell beer, wine and liquor for off-premises consumption
8 on:

9 1. Monday through Saturday, from 6 a.m. to [2 a.m. the
10 following day] **11 P.M.**; and

11 2. Sunday, from 11 a.m. to [2 a.m. the following day] **11**
12 **P.M.**, if they hold a special Sunday opening permit;

13 (vii) In Talbot County, the hours are from 8 a.m. to [12 midnight]
14 **11 P.M.**

15 11-403.

16 (a) (8) (i) In Washington County, except as provided in subparagraphs
17 (ii) and (iii) of this paragraph[, a]:

18 1. **A Class A[,] LICENSEE MAY SELL ALCOHOLIC**
19 **BEVERAGES ON SUNDAY FROM NOON TO 11 P.M.; AND**

20 2. **A Class B[,] and Class C on-sale licensee may sell**
21 **alcoholic beverages on Sunday from 12 noon to 12 midnight.**

22 (b) (2) (vi) In Caroline County, on Sunday:

23 1. A Class A 7-day licensee may sell the alcoholic
24 beverages authorized under the license from 8 a.m. to [12 midnight] **11 P.M.**, except
25 that if the sale of liquor is authorized under the license, liquor may only be sold from
26 1:00 p.m. to [12 midnight] **11 P.M.**;

27 11-502.

28 In Anne Arundel County, notwithstanding any other provisions in this subtitle,
29 the following restrictions, limitations, and regulations are in effect:

30 (a) The hours during which sales of alcoholic beverages may be made under
31 all Class [A,] B, C, D, H, and special class licenses from 6 a.m. until 2 a.m. of the day

1 following, except that no licensed premises shall be permitted to sell alcoholic
2 beverages at any time on Sunday without a special Sunday license.

3 11-508.

4 (a) (1) In Cecil County, notwithstanding any other provisions of this
5 subtitle, the hours during which sales of any alcoholic beverages may be made under
6 any class of license **EXCEPT CLASS A** issued under this article on any day, Monday
7 through Saturday, are from 6 a.m. daily to 2 a.m. on the following day. It is unlawful
8 for any person to sell or for any person to consume any alcoholic beverages on any
9 premises licensed under this article between the hours of 2 a.m. and 6 a.m. on any day
10 of the week or at any time on Sunday between 2 a.m. and 8 a.m. It is lawful for Class
11 C “on-sale” (clubs) beer, beer and light wine, or beer, wine and liquor licensees in Cecil
12 County to permit the sale and consumption of alcoholic beverages between the hours of
13 8 a.m. and 11 p.m. on Sundays and as provided in § 11-402(i) of this article.

14 11-509.

15 (a) (1) In Charles County, notwithstanding any other provisions of this
16 subtitle, the hours of sale for alcoholic beverages **EXCEPT FOR CLASS A LICENSEES**
17 shall be as follows:

18 [(1)] (I) Monday, 6 a.m. to Tuesday, 2 a.m.

19 [(2)] (II) Tuesday, 6 a.m. to Wednesday, 2 a.m.

20 [(3)] (III) Wednesday, 6 a.m. to Thursday, 2 a.m.

21 [(4)] (IV) Thursday, 6 a.m. to Friday, 2 a.m.

22 [(5)] (V) Friday, 6 a.m. to Saturday, 2 a.m.

23 [(6)] (VI) Saturday, 6 a.m. to Sunday, 2 a.m.

24 [(7)] (VII) Sunday, 6 a.m. to Sunday, midnight.

25 (2) **IN CHARLES COUNTY, THE HOURS OF SALE FOR CLASS A**
26 **LICENSEES IS FROM 6 A.M. TO 11 P.M. EVERY DAY.**

27 11-510.

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

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

1 (1) For the holders of a Class A (off-sale) beer license, sales are
2 permitted Monday through Sunday from 6 a.m. to [12 midnight] **11 P.M.**, except if
3 Christmas Eve or New Year's Eve is on a Sunday, from 6 a.m. on Sunday to 2 a.m. on
4 Monday.

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 [midnight]
8 **11 P.M.**; and

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

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

14 (i) Monday through Saturday from 6 a.m. through [midnight]
15 **11 P.M.**; and

16 (ii) Sunday from 6 a.m. through [midnight] **11 P.M.**, except if
17 Christmas Eve or New Year's Eve is on a Sunday, from 6 a.m. through 2 a.m. the
18 following day.

19 11-511.

20 (a) This section applies only in Frederick County.

21 (d) (2) (i) The Board of License Commissioners may grant a special
22 Sunday opening permit to a Class A beer, wine and liquor (off-sale) licensee.

23 (ii) The special Sunday opening permit authorizes the holder to
24 sell beer, wine and liquor for off-premises consumption on Sundays from 11 a.m. to [2
25 a.m. the following day] **11 P.M.**

26 (3) (i) The Board of License Commissioners may grant a special
27 Sunday opening permit to a Class A beer and wine (off-sale) licensee.

28 (ii) The special Sunday opening permit authorizes the holder to
29 sell beer and wine for off-premises consumption on Sundays from 11 a.m. to [2 a.m.
30 the following day] **11 P.M.**

31 (4) (i) The Board of License Commissioners may grant a special
32 Sunday opening permit to a Class A beer (off-sale) licensee.

1 (ii) The special Sunday opening permit authorizes the holder to
2 sell beer for off-premises consumption on Sundays from 11 a.m. to [2 a.m. the
3 following day] **11 P.M.**

4 11-512.

5 (a) This section applies only in Garrett County.

6 (b) (1) Notwithstanding any other provisions of this subtitle and except on
7 Sundays and New Year's Day, holders of any class **EXCEPT CLASS A** of on- or
8 off-sale licenses issued under this article may sell the alcoholic beverages authorized
9 under their respective license from 6 a.m. to 2 a.m. the following day, but may not sell
10 alcoholic beverages between the hours of 2 a.m. and 6 a.m. on any day of the week or,
11 unless authorized under subsection (c) of this section, at any time on Sunday after 2
12 a.m.

13 11-515.

14 (a) This section applies only in Kent County.

15 (c) Any class **EXCEPT CLASS A** of retail on- or off-sale alcoholic beverages
16 license issued by the Board of License Commissioners authorizes the holder to sell
17 alcoholic beverages:

18 (1) On Monday through Friday from 6 a.m. to 2 a.m. the following day;

19 (2) On Saturday from 6 a.m. to 1 a.m. the following day; and

20 (3) On Sunday:

21 (i) For a Class A license, from 9 a.m. to [2 a.m. the following
22 day] **11 P.M.**;

23 (ii) For a Class B license, from 9 a.m. to 12 midnight (off-sale
24 for beer and wine only);

25 (iii) For a Class C license, from 9 a.m. to 12 midnight; or

26 (iv) For a Class D license, from 9 a.m. to 2 a.m. (off-sale for beer
27 and wine only).

28 11-516.

29 (a) In Montgomery County, notwithstanding any other provisions of this
30 subtitle, a holder of an alcoholic beverage license may not sell any alcoholic beverages
31 between the hours of 1 a.m. and 10 a.m. on Sunday, except holders of Class A
32 (off-sale) beer licenses and Class A (off-sale) beer and light wine licenses and Class

1 B-BWL, Class B-BWL (H-M) and Class C, beer, wine and liquor licenses; Class B and
2 Class D beer licenses and Class B and Class D beer and light wine licenses.

3 (d) (1) The privileges conferred on a Class A (off-sale) beer license and
4 Class A (off-sale) beer and light wine license may be exercised from 6 a.m. to [1 a.m.
5 the day following] **11 P.M.** for every day including Sunday.

6 11-519.

7 In St. Mary's County, notwithstanding any other provision of this article, the
8 hours during which a liquor licensee **EXCEPT A CLASS A LICENSEE** may sell those
9 alcoholic beverages for which he is licensed shall be from 6 o'clock a.m. to 2 o'clock a.m.
10 the following morning, including Sunday. No consumer may remain on the premises of
11 the establishment after the termination of the hours of sale, except that customers
12 may remain on the premises for one-half hour after the closing time on Sunday
13 morning.

14 11-520.

15 In Somerset County, notwithstanding any provisions of this article to the
16 contrary, licensees **EXCEPT CLASS A LICENSEES** may sell alcoholic beverages, as
17 authorized by their licenses, between the hours of 6 a.m. on any day and 2 a.m. on the
18 following day. However, no sales of alcoholic beverages shall be made or alcoholic
19 beverages consumed on licensed premises between the hours of 2 a.m. on Sundays and
20 8 a.m. on the following Monday except for:

21 (1) Holders of Class B (on-sale) beer, wine, and liquor licenses and
22 Class C (on-sale) beer, wine and liquor licenses, who may sell alcoholic beverages, for
23 consumption on their premises, as authorized by their licenses, between the hours of
24 12:30 p.m. and 12 midnight on Sundays, provided that under those Sunday licenses
25 the sale or disposal of alcoholic beverages will be permitted only if food is available for
26 purchase on the premises.

27 (2) Holders of a 7-day Class A (off-sale) beer license and a 7-day
28 Class A (off-sale) beer and light wine license, who may sell beverages on Sunday, as
29 authorized by their licenses, from 8 a.m. to [2 a.m. on the following day] **11 P.M.**

30 11-522.

31 Except as provided under § 11-403 of this article in Washington County holders
32 of the following classes of alcoholic beverages licenses may exercise their license
33 privileges [from 6 a.m. to 2 a.m. the following day] **DURING THE FOLLOWING TIMES:**

34 (1) **[A] FOR A** Class A (off-sale) license, **FROM 6 A.M. TO 11 P.M.**; and

35 (2) **[All] FOR ALL** classes of (on-sale) alcoholic beverages licenses,
36 **FROM 6 A.M. TO 2 A.M. THE FOLLOWING DAY.**

1 11-524.

2 (c) In the sections of this article set forth in this subsection, the hours for
3 sale in Worcester County shall be:

4 (1) Section 3-101 — Class A beer

5 (i) 6-day license — 6:00 a.m. to [2:00 a.m. the following
6 morning] **11 P.M.**, but there shall be no sales between [2:00 a.m. Sunday] **11 P.M.**
7 **SATURDAY** and 6:00 a.m. Monday.

8 (ii) 7-day license — 6:00 a.m. to [2:00 a.m. the following
9 morning, except that on Sundays the licensee may reopen at 6:00 a.m. and remain
10 open until 2:00 a.m. the following Monday] **11 P.M.**

11 (5) Section 5-101 — Class A beer and light wine

12 (i) 6-day license — 6:00 a.m. to [2:00 a.m. the following
13 morning] **11 P.M.**, but there shall be no sales between [2:00 a.m. Sunday] **11 P.M.**
14 **SATURDAY** and 6:00 a.m. Monday.

15 (ii) 7-day license — 6:00 a.m. to [2:00 a.m. the following
16 morning] **11 P.M.**, except that on Sundays the licensee may reopen at 6:00 a.m. and
17 remain open until [2:00 a.m. the following Monday] **11 P.M.**

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 July 1, 2011.