

Chapter 296

(Senate Bill 836)

AN ACT concerning

Baltimore City – 45th District – Alcoholic Beverages – ~~Class C~~ Licenses

FOR the purpose of authorizing the Board of Liquor License Commissioners for Baltimore City to issue a Class C beer, wine and liquor license in the 45th alcoholic beverages district; authorizing the holder of a Class A license to exercise off-sale privileges on a certain number of additional Sundays during a calendar year; requiring that a certain license fee be paid before a certain time; increasing the number of Sundays during which certain Class D licensees may sell alcoholic beverages during a calendar year; making a certain stylistic change; and generally relating to alcoholic beverages in Baltimore City.

BY repealing and reenacting, without amendments,
 Article 2B – Alcoholic Beverages
 Section 9–204.1(a), (b), (c), and (d)(1) and 11–503(a)
 Annotated Code of Maryland
 (2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
 Article 2B – Alcoholic Beverages
 Section 9–204.1(d)(2), 11–403(a)(3), and 11–503(b)(2)(i)
 Annotated Code of Maryland
 (2005 Replacement Volume and 2010 Supplement)

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

Article 2B – Alcoholic Beverages

9–204.1.

(a) In this section, “Board” means the Board of Liquor License Commissioners for Baltimore City.

(b) This section applies only in Baltimore City.

(c) The alcoholic beverages districts described in this section at all times shall be coterminous with the legislative districts in the Legislative Districting Plan of 2002 as ordered by the Maryland Court of Appeals on June 21, 2002.

(d) (1) Except as provided in paragraph (2) of this subsection, new licenses for the sale of alcoholic beverages may not be issued in the following areas:

- (i) The 40th alcoholic beverages district (entire district);
- (ii) The 41st alcoholic beverages district (entire district);
- (iii) The 43rd alcoholic beverages district (entire district);
- (iv) The 44th alcoholic beverages district (entire district);
- (v) The 45th alcoholic beverages district (entire district); and
- (vi) The 46th alcoholic beverages district (entire district).

(2) The Board may issue:

- (i) Special 1-day licenses; **[or]**
- (ii) Class B beer, wine and liquor restaurant licenses to bona fide restaurants having:
 1. A minimum capital investment, not including the cost of land and buildings, of \$200,000 for restaurant facilities except in the 46th alcoholic beverages district;
 2. A minimum seating capacity of 75 persons; and
 3. Additional requirements for Class B beer, wine and liquor licenses issued in the 46th alcoholic beverages district as provided in § 6-201(d) of this article; **OR**

(III) A CLASS C BEER, WINE AND LIQUOR LICENSE IN THE 45TH ALCOHOLIC BEVERAGES DISTRICT.

11-403.

(a) (3) (i) Except for the Class B Sunday off-sale license prohibition in the 47th alcoholic beverages district in Baltimore City as provided for in § 6-201(d) of this article, in Baltimore City a Class B and a Class C beer and light wine or beer, wine and liquor licensee may sell alcoholic beverages at a bar or counter on Sunday.

(ii) 1. Subject to the conditions provided in SUBSUBPARAGRAPH 2 OF this subparagraph AND IN ADDITION TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, in Baltimore City, a holder of a Class A retail alcoholic beverages license may exercise the off-sale license privilege on the

Sundays that fall between Thanksgiving Day and New Year's Day from 1 p.m. to 9 p.m.

2. The holder of a Class A retail off-sale license may exercise the additional privilege authorized by this subparagraph in any year in which a supplementary license fee of \$75 has been paid prior to October 1 for each day the additional privilege is to be exercised.

(III) 1. THE HOLDER OF A CLASS A RETAIL ALCOHOLIC BEVERAGES LICENSE IN BALTIMORE CITY MAY EXERCISE THE OFF-SALE PRIVILEGE ON TWO ADDITIONAL SUNDAYS DURING THE CALENDAR YEAR.

2. A HOLDER SHALL PAY A LICENSE FEE OF \$75 AT LEAST 2 WEEKS BEFORE EACH TIME THE PRIVILEGE IS EXERCISED UNDER THIS SUBPARAGRAPH.

11-503.

(a) In Baltimore City an amusement license shall authorize the holder thereof to keep for sale and sell all alcoholic beverages at all hours except between the hours of 2 o'clock a.m. and 6 o'clock a.m. of each day.

(b) (2) (i) The Board may issue a supplemental license no more than [two] FOUR times during any calendar year to a holder of a Class D beer, wine and liquor license authorizing the holder to sell alcoholic beverages between the hours of 6 a.m. on Sunday and 1 a.m. the following day.

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

Approved by the Governor, May 10, 2011.