

Chapter 370

(House Bill 973)

AN ACT concerning

Dorchester County Liquor Act of 2011

FOR the purpose of repealing a certain obsolete residency requirement for voters supporting an application for an alcoholic beverages license in Dorchester County; specifying that a certain prohibition against alcoholic beverages sales at a bar or counter on Sunday does not apply in the county; repealing certain obsolete language concerning Sunday sales; and generally relating to alcoholic beverages in Dorchester County.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 10–103(b)(18)(i) and (iv), 10–104(a), and 11–403(a)(1) and (b)(1) and (2)(xi)

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

BY repealing

Article 2B – Alcoholic Beverages

Section 10–104(k)

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 11–403(a)(11)

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 11–403(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

10-103.

(b) Except as otherwise provided in this subtitle, every new application for a license shall be made to the Board of License Commissioners on forms prescribed by the Comptroller and sworn to by the applicant. Every application for a license shall contain the following:

(18) (i) A certificate signed by at least ten citizens who are owners of real estate and registered voters of the precinct in which the business is to be conducted, stating the length of time each has been acquainted with the applicant, or in the case of a corporation with the individuals making the application; that they have examined the application of the applicant and that they have good reason to believe that all the statements contained in this application are true, and that they are of the opinion that the applicant is a suitable person to obtain the license. The certificate must have a statement that the signers of it are familiar with the premises upon which the proposed business is to be conducted, and that they believe the premises are suitable for the conduct of the business of a retail dealer in alcoholic beverages.

(iv) This certificate is not necessary for applications filed in Dorchester County, Prince George's County, Montgomery County and Anne Arundel County.

10-104.

(a) The following requirements for application for county licenses shall be applicable in these counties, as additional requirements except where inconsistent with those listed elsewhere in this subtitle:

[(k) In Dorchester County every voter, who signs the certificate supporting the application for license, shall have resided in the voting precinct in which the applicant proposes to do business, for three hundred and sixty-five consecutive days immediately prior to the date of the filing of such application, and the signature of any person who does not meet the requirements of this section, shall be null and void.]

11-403.

(a) (1) A retail dealer holding a Class B or C license may not sell any alcoholic beverage at a bar or counter on Sunday.

(11) THE PROHIBITION SPECIFIED IN PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY IN DORCHESTER COUNTY.

(b) (1) In the jurisdictions in which this subsection is applicable, it is unlawful for anyone to sell or for any licensed dealer to deliver, give away or otherwise dispose of any alcoholic beverages on Sunday. Any person selling or any licensed

dealer delivering, giving away or otherwise disposing of such beverages in such jurisdictions on Sundays is guilty of a misdemeanor and shall be fined not more than \$50 for the first offense and not more than \$100, or imprisoned in the county jail for not more than 30 days, or both for each succeeding offense.

(2) (i) This subsection is applicable to Caroline, Cecil, [Dorchester, except as provided in subparagraph (xi) of this paragraph,] Garrett, except as provided in paragraph (5) of this subsection, Harford, Kent, Queen Anne's, except as provided in subparagraph (v) of this paragraph, Somerset, Talbot, and Worcester (except as otherwise provided) counties.

(xi) For Dorchester County the provisions are subordinate to § 11-510 of this title.

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

Approved by the Governor, May 10, 2011.