

SENATE BILL 840

A2

2lr1287
CF 2lr2915

By: **Senator Rosapepe**

Introduced and read first time: February 3, 2012

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Alcoholic Beverages – City of Laurel – Sales by License Holders**

3 FOR the purpose of requiring the City Council of the City of Laurel to make a certain
4 determination regarding the granting of a license to sell alcoholic beverages in a
5 certain building located within 500 feet of a church under certain
6 circumstances; and generally relating to the sale of alcoholic beverages in the
7 City of Laurel.

8 BY repealing and reenacting, without amendments,
9 Article 2B – Alcoholic Beverages
10 Section 9–217(a)
11 Annotated Code of Maryland
12 (2011 Replacement Volume)

13 BY repealing and reenacting, with amendments,
14 Article 2B – Alcoholic Beverages
15 Section 9–217(e)
16 Annotated Code of Maryland
17 (2011 Replacement Volume)

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

20 **Article 2B – Alcoholic Beverages**

21 9–217.

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

23 (e) (1) A license may not be granted to sell alcoholic beverages in any
24 building located within 1,000 feet of a school building, or within 500 feet of a church.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 The 1,000 feet, or the 500 feet, as the case may be, is to be measured from the front
2 door or main entrance, whichever is nearest the street abutting the premises, of the
3 proposed licensed establishment along the nearest usual pedestrian route to the door
4 closest to the licensed premises which is used as an entrance or exit to any school, or
5 to the main entrance of the church building.

6 (2) [This] **EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (7)**
7 **OF THIS SUBSECTION, THIS** restriction does not apply in the case of a church if the
8 governing body of the church concerned consents in writing to the granting of the
9 license. The consent shall be filed with the application. The license of any person or
10 persons or for the use of a corporation or unincorporated association issued for any
11 building located within the requisite distance from a church or school building may be
12 renewed or extended for the same building.

13 (3) This restriction does not apply to any transfer or assignment of a
14 license located within the distance of 1,000 feet to another place of business within the
15 specified distance and/or to an assignee of the license within the distance of the same
16 church or school building.

17 (4) This does not apply to the issuance of a license for a place of
18 business, not having an alcoholic beverage license, to which an alcoholic beverage
19 license had been issued and was in force and effect on June 1, 1965, as to a license of
20 the same class which was in force and effect as of that date, applied for in the place of
21 business nor to a renewal of a license of any establishment where, subsequent to the
22 original granting of the license a school or church building was erected within 1,000
23 feet.

24 (5) This subsection does not apply to any license issued under §
25 6-201(r)(2), (4), (5), (15), (16), or (18) or § 7-101 of this article.

26 (6) This restriction does not apply in the case of a private kindergarten
27 or nursery school.

28 (7) (I) **THIS PARAGRAPH APPLIES ONLY IN THE CITY OF**
29 **LAUREL.**

30 (II) **IF THE GOVERNING BODY OF A CHURCH DOES NOT**
31 **CONSENT IN WRITING TO THE GRANTING OF A LICENSE AS PROVIDED IN**
32 **PARAGRAPH (2) OF THIS SUBSECTION, THE CITY COUNCIL OF THE CITY OF**
33 **LAUREL SHALL DETERMINE IF A LICENSE MAY BE GRANTED TO SELL**
34 **ALCOHOLIC BEVERAGES IN A BUILDING LOCATED WITHIN 500 FEET OF THE**
35 **CHURCH.**

36 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
37 October 1, 2012.