

Chapter 60

(House Bill 12)

AN ACT concerning

Baltimore City – 45th Legislative District – Liquor Stores – Premises Near Places of Worship or Schools

FOR the purpose of increasing the distance that liquor stores in the 45th Legislative District in Baltimore City are required to be from places of worship or schools; providing for the application of this Act; and generally relating to the distance that liquor stores are required to be from places of worship or schools in the 45th Legislative District in Baltimore City.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 9–204.3
Annotated Code of Maryland
(2011 Replacement Volume)

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

Article 2B – Alcoholic Beverages

9–204.3.

(a) **(1) [In] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IN Baltimore City, no new license, or removal of an existing license, shall be granted to sell alcoholic beverages in any building located within 300 feet of the nearest point of the buildings of a church or school, but the license of any person now holding a license for any building located within such distance of the building grounds of a church or school may be renewed or extended for the same building.**

(2) IN THE 45TH LEGISLATIVE DISTRICT IN BALTIMORE CITY, A NEW CLASS A LICENSE OF ANY TYPE MAY NOT BE ISSUED FOR THE SALE OF ALCOHOLIC BEVERAGES IN A BUILDING LOCATED WITHIN 500 FEET OF THE NEAREST POINT OF THE BUILDING OF A PLACE OF WORSHIP OR SCHOOL.

(b) The restrictions regarding distance **IN SUBSECTION (A)(1) OF THIS SECTION** do not apply to the following licenses, which may be issued within the 300 feet limitation:

(1) Except in the 46th Legislative District, Class B beer and wine;

(2) Except in the 46th Legislative District, Class B beer, wine and liquor;

(3) Class C beer and wine; and

(4) Class C beer, wine and liquor.

(c) Except in the 46th Legislative District, the governing body of any church in writing may waive the restrictions of this section regarding licenses not specified in subsection (b) with respect to cafes or restaurants located within 250 feet of a theater having a capacity of not less than 300 seats, which theater is operated by a nonprofit theater association.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any Class A alcoholic beverages license issued in the 45th Legislative District in Baltimore City before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2012.

Approved by the Governor, April 10, 2012.