

HOUSE BILL 1072

A2
SB 840/12 – EHE

3lr0519

By: **Prince George's County Delegation**
Introduced and read first time: February 8, 2013
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

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

3 **PG 308–13**

4 FOR the purpose of requiring the City Council of the City of Laurel to make a certain
5 determination regarding the granting of a license to sell alcoholic beverages in a
6 certain building located within a certain distance of a place of worship; making
7 certain stylistic changes; and generally relating to the sale of alcoholic
8 beverages in the City of Laurel.

9 BY repealing and reenacting, without amendments,
10 Article 2B – Alcoholic Beverages
11 Section 9–217(a)
12 Annotated Code of Maryland
13 (2011 Replacement Volume and 2012 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article 2B – Alcoholic Beverages
16 Section 9–217(e)
17 Annotated Code of Maryland
18 (2011 Replacement Volume and 2012 Supplement)

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

21 **Article 2B – Alcoholic Beverages**

22 9–217.

23 (a) This section applies only in Prince George's County.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 (e) (1) (i) Except as provided in item (ii) of this paragraph **AND**
2 **PARAGRAPH (7) OF THIS SUBSECTION**, a license may not be granted to sell alcoholic
3 beverages in any building located within 1,000 feet of a school building, or within 500
4 feet of a place of worship. The 1,000 feet, or the 500 feet, as the case may be, is to be
5 measured from the front door or main entrance, whichever is nearest the street
6 abutting the premises, of the proposed licensed establishment along the nearest usual
7 pedestrian route to the door closest to the licensed premises which is used as an
8 entrance or exit to any school, or to the main entrance of the place of worship.

9 (ii) In the part of the Gateway Arts and Entertainment District
10 located in the City of Hyattsville, as designated by the Secretary of Business and
11 Economic Development, the front door or main entrance of an establishment for which
12 a Class D beer and wine license is issued may be used if the door or entrance is at
13 least 350 feet from a place of worship.

14 (2) This restriction does not apply in the case of a [church] **PLACE OF**
15 **WORSHIP** if the governing body of the [church] **PLACE OF WORSHIP** concerned
16 consents in writing to the granting of the license. The consent shall be filed with the
17 application. The license of any person or persons or for the use of a corporation or
18 unincorporated association issued for any building located within the requisite
19 distance from a [church] **PLACE OF WORSHIP** or school building may be renewed or
20 extended for the same building.

21 (3) This restriction does not apply to any transfer or assignment of a
22 license located within the distance of 1,000 feet to another place of business within the
23 specified distance [and/or] **OR** to an assignee of the license within the distance of the
24 same [church] **PLACE OF WORSHIP** or school building.

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

32 (5) This subsection does not apply to any license issued under §
33 6–201(r)(2), (4), (5), (15), (16), or (18) or § 7–101 of this article.

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

36 **(7) (I) THIS PARAGRAPH APPLIES ONLY IN THE CITY OF**
37 **LAUREL.**

1 **(II) THE CITY COUNCIL OF THE CITY OF LAUREL SHALL**
2 **DETERMINE IF A LICENSE MAY BE ISSUED TO SELL ALCOHOLIC BEVERAGES IN A**
3 **BUILDING LOCATED WITHIN 500 FEET OF A PLACE OF WORSHIP.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2013.