

HOUSE BILL 697

A2

6lr3033

By: **Delegates Otto and Carozza**

Introduced and read first time: February 5, 2016

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 13, 2016

CHAPTER _____

1 AN ACT concerning

2 **Worcester County – Alcoholic Beverages – Class A Beer, Wine, and Liquor**
3 **License**

4 FOR the purpose of ~~repealing a certain provision of law that prohibits the issuance of a~~
5 ~~Class A beer, wine, and liquor license in Worcester County;~~ establishing a Class A
6 beer, wine, and liquor license in Worcester County; authorizing the Board of License
7 Commissioners to issue the license to an individual for use at a certain store or
8 certain establishments under certain conditions; providing that a certain distance
9 restriction expires on the earlier of certain dates; specifying the scope of
10 ~~authorization of the license; authorizing the Worcester County Board of License~~
11 ~~Commissioners to issue the license for an establishment that is outside a certain~~
12 ~~distance of a Worcester County owned or operated retail dispensary; authorizing the~~
13 ~~Worcester County Board of License Commissioners to issue the license for an~~
14 ~~establishment that is within a certain distance of a Worcester County owned or~~
15 ~~operated dispensary, with the consent of the Worcester County Commissioners;~~
16 ~~specifying a certain annual fee for a Class A beer, wine, and liquor license; providing~~
17 that the license authorizes the sale of beer, wine, and liquor at the place described
18 in the license for off-premises consumption under certain conditions; providing for
19 an annual license fee and hours and days of sale; and generally relating to the sale
20 of alcoholic beverages licenses in Worcester County.

21 BY repealing and reenacting, without amendments,

22 Article – Alcoholic Beverages

23 Section 33-102

24 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



(As enacted by Chapter _____ (S.B. 724) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 33–901

Annotated Code of Maryland

(As enacted by Chapter _____ ~~(S.B. _____)(Ch. 1406)~~ (S.B. 724) of the Acts of the General Assembly of 2016)

BY adding to

Article – Alcoholic Beverages

Section ~~33–901~~ 33–2005(a)

Annotated Code of Maryland

(As enacted by Chapter _____ ~~(S.B. _____)(Ch. 1406)~~ (S.B. 724) of the Acts of the General Assembly of 2016)

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

Article – Alcoholic Beverages

~~33–901.~~

~~A Class A beer, wine, and liquor license may not be issued in the County.]~~

~~33–901.~~

~~(A) **THERE IS A CLASS A BEER, WINE, AND LIQUOR LICENSE.**~~

33–102.

This title applies only in Worcester County.

33–901.

(A) [A] THERE IS A Class A beer, wine, and liquor license [may not be issued in the County].

(B) (1) THE BOARD MAY ISSUE THE LICENSE TO AN INDIVIDUAL FOR USE AT:

(I) A STORE PREVIOUSLY OPERATED BY THE DEPARTMENT OF LIQUOR CONTROL;

1 **(II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN**
2 **ESTABLISHMENT OUTSIDE A 10-BLOCK RADIUS OF A STORE PREVIOUSLY OPERATED**
3 **BY THE DEPARTMENT OF LIQUOR CONTROL THAT IS IN OCEAN CITY; OR**

4 **(III) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN**
5 **ESTABLISHMENT OUTSIDE A 1-MILE RADIUS OF A STORE PREVIOUSLY OPERATED BY**
6 **THE DEPARTMENT OF LIQUOR CONTROL THAT IS NOT IN OCEAN CITY.**

7 **(2) A DISTANCE RESTRICTION DESCRIBED IN PARAGRAPH (1)(II) OR**
8 **(III) OF THIS SUBSECTION ON ISSUING LICENSES TO ESTABLISHMENTS EXPIRES ON**
9 **THE EARLIER OF:**

10 **(I) JULY 1, 2017; OR**

11 **(II) THE DATE A LICENSE IS ISSUED FOR USE BY A STORE**
12 **PREVIOUSLY OPERATED BY THE DEPARTMENT OF LIQUOR CONTROL TO WHICH THE**
13 **DISTANCE RESTRICTION APPLIES.**

14 **~~(B)~~ (C) (1) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL**
15 **BEER, WINE, AND LIQUOR, AT RETAIL, AT THE PLACE DESCRIBED IN THE LICENSE.**

16 **(2) THE LICENSE HOLDER SHALL SELL THE BEER, WINE, AND LIQUOR**
17 **IN A SEALED PACKAGE OR CONTAINER.**

18 **(3) THE PACKAGE OR CONTAINER MAY NOT BE OPENED AND ITS**
19 **CONTENTS MAY NOT BE CONSUMED ON THE PREMISES WHERE THE BEER, WINE, AND**
20 **LIQUOR IS SOLD.**

21 **~~(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,~~**
22 **~~THE LICENSE MAY BE ISSUED ONLY FOR AN ESTABLISHMENT THAT IS OUTSIDE A~~**
23 **~~10-MILE RADIUS OF A COUNTY-OWNED OR COUNTY-OPERATED DISPENSARY.~~**

24 **~~(2) THE LICENSE MAY BE ISSUED FOR AN ESTABLISHMENT THAT IS~~**
25 **~~WITHIN A 10-MILE RADIUS OF A COUNTY-OWNED OR COUNTY-OPERATED~~**
26 **~~DISPENSARY IF THE COUNTY COMMISSIONERS CONSENT.~~**

27 **(D) THE ANNUAL LICENSE FEE IS \$4,500.**

28 **33-2005.**

29 **(A) A HOLDER OF A CLASS A BEER, WINE, AND LIQUOR LICENSE MAY SELL**
30 **BEER, WINE, AND LIQUOR ON MONDAY THROUGH SUNDAY, FROM 6 A.M. TO 2 A.M.**
31 **THE FOLLOWING DAY.**

HOUSE BILL 697

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
2 1, 2016.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.