

HOUSE BILL 995

A2

6lr2834
CF SB 878

By: **Allegany County Delegation**

Introduced and read first time: February 10, 2016

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 9, 2016

CHAPTER _____

1 AN ACT concerning

2 **Allegany County – Alcoholic Beverages – Sunday Sales**

3 FOR the purpose of altering the hours for sale of certain alcoholic beverages on Sundays by
4 a holder of a Class D beer license, a Class D beer and light wine license, a Class B
5 beer, wine, and liquor license, and a Class D beer, wine, and liquor license in
6 Allegany County under certain circumstances; submitting this Act to a referendum
7 of the qualified voters of Allegany County; and generally relating to the hours for
8 sale of alcoholic beverages on Sundays in Allegany County.

9 BY repealing and reenacting, without amendments,
10 Article – Alcoholic Beverages
11 Section 9–101(a) and (b), 9–102, and 9–2005
12 Annotated Code of Maryland
13 (As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General
14 Assembly of 2016)

15 BY repealing and reenacting, with amendments,
16 Article – Alcoholic Beverages
17 Section 9–2002(d), 9–2003(d), and 9–2004(b) and (d)
18 Annotated Code of Maryland
19 (As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General
20 Assembly of 2016)

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

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.



Article – Alcoholic Beverages

1
2 9–101.

3 (a) In this title:

4 (1) except as provided in subsection (c) of this section, the definitions in §
5 1–101 of this article apply without exception or variation; and

6 (2) the following words have the meanings indicated.

7 (b) “Board” means the Board of License Commissioners for Allegany County.

8 9–102.

9 This title applies only in Allegany County.

10 9–2002.

11 (d) (1) Except as provided in § 9–2005 of this subtitle for December 31 and
12 January 1, a holder of a Class D beer license may sell beer:

13 (i) on Monday through Saturday, for on–premises and off–premises
14 consumption, from 7 a.m. to 2 a.m. the following day;

15 (ii) on Sunday, for on–premises consumption, from [1 p.m.] **11 A.M.**
16 to 2 a.m. the following day if the holder:

17 1. pays an additional fee of \$250; and

18 2. is issued the license for use in a restaurant in a permanent
19 building with ample space and accommodations where meals are usually prepared, sold, or
20 served to the public when the restaurant is regularly open for business; or

21 (iii) in accordance with a 2–day Sunday sales permit issued under
22 paragraph (2) of this subsection.

23 (2) (i) The Board may issue a 2–day Sunday sales permit to a holder of
24 a Class D beer license.

25 (ii) An applicant for a 2–day Sunday sales permit need not have
26 kitchen facilities on the licensed premises.

27 (iii) A 2–day Sunday sales permit authorizes the holder to sell beer
28 for on–premises consumption on not more than two Sundays in a year from [1 p.m.] **11**
29 **A.M.** Sunday to 2 a.m. the following day.

1 (iv) The permit fee is \$50 for each time the permit is used.

2 9–2003.

3 (d) (1) Except as provided in § 9–2005 of this subtitle for December 31 and
4 January 1, a holder of a Class D beer and light wine license may sell beer and light wine:

5 (i) on Monday through Saturday, for on–premises and off–premises
6 consumption, from 7 a.m. to 2 a.m. the following day;

7 (ii) on Sunday, for on–premises consumption, from [1 p.m.] **11 A.M.**
8 to 2 a.m. the following day if the holder:

9 1. pays an additional fee of \$250; and

10 2. is issued the license for use in a restaurant in a permanent
11 building with ample space and accommodations where meals are usually prepared, sold, or
12 served to the public when the restaurant is regularly open for business; or

13 (iii) in accordance with a 2–day Sunday sales permit issued under
14 paragraph (2) of this subsection.

15 (2) (i) The Board may issue a 2–day Sunday sales permit to a holder of
16 a Class D beer and light wine license.

17 (ii) An applicant for a 2–day Sunday sales permit need not have
18 kitchen facilities on the licensed premises.

19 (iii) A 2–day Sunday sales permit authorizes the holder to sell beer
20 and light wine for on–premises consumption on not more than two Sundays in a year from
21 [1 p.m.] **11 A.M.** Sunday to 2 a.m. the following day.

22 (iv) The permit fee is \$50 for each time the permit is used.

23 9–2004.

24 (b) (1) Except as provided in § 9–2005 of this subtitle for December 31 and
25 January 1, a holder of a Class B beer, wine, and liquor license may sell beer, wine, and
26 liquor:

27 (i) on Monday through Saturday, for on–premises and off–premises
28 consumption, from 7 a.m. to 2 a.m. the following day;

29 (ii) on Sunday, for on–premises consumption, from [1 p.m.] **11 A.M.**
30 to 2 a.m. the following day if the holder:

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1 1. pays an additional fee of \$250;

2 2. is issued the license for use in a restaurant in a permanent
3 building with ample space and accommodations where meals are usually prepared, sold, or
4 served to the public when the restaurant is regularly open for business; or

5 3. is issued a 2-day Sunday sales permit in accordance with
6 paragraph (2) of this subsection.

7 (2) (i) The Board may issue a 2-day Sunday sales permit to a holder of
8 a Class B beer, wine, and liquor license, including a Class B beer, wine, and liquor license
9 issued for use in a restaurant or banquet room in a hotel or motel.

10 (ii) An applicant for a 2-day Sunday sales permit need not have
11 kitchen facilities on the licensed premises.

12 (iii) A 2-day Sunday sales permit authorizes the holder to sell beer,
13 wine, and liquor for on-premises consumption on not more than two Sundays in a year
14 from [1 p.m.] 11 A.M. Sunday to 2 a.m. the following day.

15 (iv) The permit fee is \$50 for each time the permit is used.

16 (d) (1) Except as provided in § 9-2005 of this subtitle for December 31 and
17 January 1, a holder of a Class D beer, wine, and liquor license may sell beer, wine, and
18 liquor:

19 (i) on Monday through Saturday, for on-premises and off-premises
20 consumption, from 7 a.m. to 2 a.m. the following day;

21 (ii) on Sunday, from [1 p.m.] 11 A.M. to 2 a.m. the following day if
22 the holder:

23 1. pays an additional fee of \$250; and

24 2. is issued the license for use in a restaurant in a permanent
25 building with ample space and accommodations where meals are usually prepared, sold, or
26 served to the public when the restaurant is regularly open for business; or

27 (iii) in accordance with a 2-day Sunday sales permit issued under
28 paragraph (2) of this subsection.

29 (2) (i) The Board may issue a 2-day Sunday sales permit to a holder of
30 a Class D beer, wine, and liquor license.

31 (ii) An applicant for a 2-day Sunday sales permit need not have
32 kitchen facilities on the licensed premises.

1 (iii) A 2-day Sunday sales permit authorizes the holder to sell beer,
2 wine, and liquor for on-premises consumption on not more than two Sundays in a year
3 from [1 p.m.] 11 A.M. Sunday to 2 a.m. the following day.

4 (iv) The permit fee is \$50 for each time the permit is used.

5 9-2005.

6 The Board shall determine the hours of sale for December 31 and January 1,
7 regardless of the days of the week on which those dates fall.

8 SECTION 2. AND BE IT FURTHER ENACTED, That before this Act becomes
9 effective it shall first be submitted to a referendum of the qualified voters of Allegany
10 County at the general election to be held in November of 2016. The County governing body
11 and the Allegany County Board of Elections shall do those things necessary and proper to
12 provide for and hold the referendum required by this section. If a majority of the votes cast
13 on the question are "For the referred law" the provisions of this Act shall become effective
14 on the 30th day following the official canvass of votes for the referendum, but if a majority
15 of the votes cast on the question are "Against the referred law" the provisions of this Act
16 are of no effect and null and void.

17 SECTION 3. AND BE IT FURTHER ENACTED, That, subject to the provisions of
18 Section 2 of this Act and for the sole purpose of providing for the referendum required by
19 Section 2 of this Act, this Act shall take effect July 1, 2016.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.