

HOUSE BILL 1029

A2

6lr0773

By: **Montgomery County Delegation**

Introduced and read first time: February 11, 2016

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Alcoholic Beverages – Class BD–BWL License – Hours of**
3 **Sale**

4 **MC 17–16**

5 FOR the purpose of altering the hours of sale for consumption on the licensed premises of
6 a holder of a Class BD–BWL license in Montgomery County; authorizing the Board
7 of License Commissioners to issue a caterer’s license to a holder of a Class BD–BWL
8 license; specifying that a certain limit on the maximum number of certain licenses a
9 person may hold includes no more than a certain number of Class BD–BWL licenses;
10 and generally relating to the sale of alcoholic beverages in Montgomery County.

11 BY repealing and reenacting, without amendments,

12 Article – Alcoholic Beverages

13 Section 25–903(a) and (b) and 25–1615

14 Annotated Code of Maryland

15 (As enacted by Chapter ___ (S.B. ___)(6lr1406) of the Acts of the General Assembly
16 of 2016)

17 BY repealing and reenacting, with amendments,

18 Article – Alcoholic Beverages

19 Section 25–903(i), 25–1202, and 25–1614

20 Annotated Code of Maryland

21 (As enacted by Chapter ___ (S.B. ___)(6lr1406) of the Acts of the General Assembly
22 of 2016)

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

25 **Article – Alcoholic Beverages**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 25-903.

2 (a) There is a Class BD-BWL license.

3 (b) The license authorizes the license holder to sell:

4 (1) beer and wine for on- or off-premises consumption; and

5 (2) liquor for on-premises consumption.

6 (i) On 7 days of the week, the hours of sale are:

7 (1) for on-premises consumption [, from 10 a.m. to 2 a.m. the following
8 day]:

9 (I) FROM 9 A.M. TO 2 A.M. THE FOLLOWING DAY, ON MONDAY,
10 TUESDAY, WEDNESDAY, AND THURSDAY;

11 (II) FROM 9 A.M. TO 3 A.M. THE FOLLOWING DAY, ON FRIDAY
12 AND SATURDAY;

13 (III) FROM 10 A.M. TO 3 A.M. THE FOLLOWING DAY, ON SUNDAY
14 WHEN THE FOLLOWING DAY HAS BEEN DESIGNATED BY THE FEDERAL GOVERNMENT
15 AS ONE OF THE FOLLOWING HOLIDAYS:

16 1. WASHINGTON'S BIRTHDAY;

17 2. MEMORIAL DAY;

18 3. INDEPENDENCE DAY;

19 4. LABOR DAY;

20 5. VETERANS DAY; OR

21 6. CHRISTMAS; OR

22 (IV) FROM 10 A.M. TO 2 A.M. THE FOLLOWING DAY, ON A SUNDAY
23 THAT IS NOT REFERENCED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH; and

24 (2) for off-premises consumption, from 6 a.m. to 1 a.m. the following day.

25 25-1202.

26 (a) There is a catering extension.

1 (b) The Board may grant a catering extension to the holder of:

2 (1) a Class B restaurant or hotel (on-sale) beer, wine, and liquor license;

3 AND

4 (2) A CLASS BD-BWL LICENSE.

5 (c) The catering extension authorizes a holder to:

6 (1) provide alcoholic beverages at an event that is held off the premises for
7 which the holder's Class B restaurant or hotel (on-sale) beer, wine, and liquor license is
8 issued; and

9 (2) exercise the privileges of the catering extension only during the hours
10 and on the days authorized for a Class B restaurant or hotel (on-sale) beer, wine, and liquor
11 license.

12 (d) The holder of a catering extension shall provide food for consumption at the
13 catered event.

14 (e) This section does not require a holder of a Class B restaurant or hotel
15 (on-sale) beer, wine, and liquor license to obtain a catering extension for catering on the
16 premises for which the Class B license is issued.

17 25-1614.

18 Except as provided in § 25-1615 of this subtitle, the Board may not authorize the
19 same license holder to hold more than 10 licenses, **INCLUDING NO MORE THAN ONE**
20 **CLASS BD-BWL LICENSE.**

21 25-1615.

22 (a) The Board may issue additional Class B beer, wine, and liquor (on-sale)
23 licenses to a license holder for premises operated as a hotel.

24 (b) (1) An applicant for an additional Class B beer, wine, and liquor (on-sale)
25 license under this section shall:

26 (i) have a minimum restaurant seating capacity of 100 individuals;
27 and

28 (ii) except as provided in paragraph (2) of this subsection, meet the
29 hotel requirements set forth in § 25-904 of this title.

1 (2) If the capital investment in the hotel exceeds \$3,000,000, the building
2 height and elevator requirements required by § 25-904(b)(1) of this title do not apply.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
4 1, 2016.