

SENATE BILL 736

A2

6lr2832
CF HB 994

By: **Senator Edwards**

Introduced and read first time: February 5, 2016

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: March 4, 2016

CHAPTER _____

1 AN ACT concerning

2 **Allegany County – Alcoholic Beverages – Sunday Sales for Class A Licenses**

3 FOR the purpose of authorizing a holder of a Class A beer license, a Class A beer and light
4 wine license, or a Class A beer, wine, and liquor license to sell certain alcoholic
5 beverages during certain hours under certain circumstances in Allegany County;
6 authorizing the Board of License Commissioners for Allegany County to issue a
7 certain Sunday sales permit to holders of certain licenses under certain
8 circumstances; specifying that an applicant for a certain Sunday sales permit need
9 not have certain kitchen facilities on the licensed premises; providing that a certain
10 Sunday sales permit authorizes the holder to sell certain alcoholic beverages for
11 off-premises consumption during certain hours on not more than a certain number
12 of Sundays in a year; specifying the fee for each time a certain Sunday sales permit
13 is used; and generally relating to alcoholic beverages in Allegany County.

14 BY repealing and reenacting, without amendments,

15 Article – Alcoholic Beverages

16 Section 9–101(a) and (b), 9–102, and 9–2005

17 Annotated Code of Maryland

18 (As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General
19 Assembly of 2016)

20 BY repealing and reenacting, with amendments,

21 Article – Alcoholic Beverages

22 Section 9–2002(a), 9–2003(a), and 9–2004(a)

23 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. ____)(6lr1406) 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

9–101.

(a) In this title:

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

(2) the following words have the meanings indicated.

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

9–102.

This title applies only in Allegany County.

9–2002.

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

(I) on Monday through Saturday from 7 a.m. to 2 a.m. the following day; AND

(II) ON SUNDAY FROM 11 A.M. TO MIDNIGHT IF THE HOLDER:

1. PAYS AN ADDITIONAL FEE OF \$250; OR

2. IS ISSUED A 2-DAY SUNDAY SALES PERMIT IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION.

(2) (I) THE BOARD MAY ISSUE A 2-DAY SUNDAY SALES PERMIT TO A HOLDER OF A CLASS A BEER LICENSE.

(II) AN APPLICANT FOR A 2-DAY SUNDAY SALES PERMIT NEED NOT HAVE KITCHEN FACILITIES ON THE LICENSED PREMISES.

1 **(III) A 2-DAY SUNDAY SALES PERMIT AUTHORIZES THE HOLDER**
2 **TO SELL BEER FOR OFF-PREMISES CONSUMPTION ON NOT MORE THAN TWO**
3 **SUNDAYS IN A YEAR FROM 11 A.M. TO MIDNIGHT.**

4 **(IV) THE PERMIT FEE IS \$50 FOR EACH TIME THE PERMIT IS**
5 **USED.**

6 9-2003.

7 (a) **(1)** Except as provided in § 9-2005 of this subtitle for December 31 and
8 January 1, a holder of a Class A beer and light wine license may sell beer and light wine:

9 **(I)** on Monday through Saturday from 7 a.m. to 2 a.m. the following
10 day; AND

11 **(II) ON SUNDAY FROM 11 A.M. TO MIDNIGHT IF THE HOLDER:**

12 1. **PAYS AN ADDITIONAL FEE OF \$250; OR**

13 2. **IS ISSUED A 2-DAY SUNDAY SALES PERMIT IN**
14 **ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION.**

15 **(2) (I) THE BOARD MAY ISSUE A 2-DAY SUNDAY SALES PERMIT TO**
16 **A HOLDER OF A CLASS A BEER AND LIGHT WINE LICENSE.**

17 **(II) AN APPLICANT FOR A 2-DAY SUNDAY SALES PERMIT NEED**
18 **NOT HAVE KITCHEN FACILITIES ON THE LICENSED PREMISES.**

19 **(III) A 2-DAY SUNDAY SALES PERMIT AUTHORIZES THE HOLDER**
20 **TO SELL BEER AND LIGHT WINE FOR OFF-PREMISES CONSUMPTION ON NOT MORE**
21 **THAN TWO SUNDAYS IN A YEAR FROM 11 A.M. TO MIDNIGHT.**

22 **(IV) THE PERMIT FEE IS \$50 FOR EACH TIME THE PERMIT IS**
23 **USED.**

24 9-2004.

25 (a) **(1)** Except as provided in § 9-2005 of this subtitle for December 31 and
26 January 1, a holder of a Class A beer, wine, and liquor license may sell beer, wine, and
27 liquor for off-premises consumption:

28 **(I)** on Monday through Saturday from 7 a.m. to 2 a.m. the following
29 day; AND

1 (II) ON SUNDAY FROM 11 A.M. TO MIDNIGHT IF THE HOLDER:

2 1. PAYS AN ADDITIONAL FEE OF \$250; OR

3 2. IS ISSUED A 2-DAY SUNDAY SALES PERMIT IN
4 ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION.

5 (2) (I) THE BOARD MAY ISSUE A 2-DAY SUNDAY SALES PERMIT TO
6 A HOLDER OF A CLASS A BEER, WINE, AND LIQUOR LICENSE.

7 (II) AN APPLICANT FOR A 2-DAY SUNDAY SALES PERMIT NEED
8 NOT HAVE KITCHEN FACILITIES ON THE LICENSED PREMISES.

9 (III) A 2-DAY SUNDAY SALES PERMIT AUTHORIZES THE HOLDER
10 TO SELL BEER, WINE, AND LIQUOR FOR OFF-PREMISES CONSUMPTION ON NOT MORE
11 THAN TWO SUNDAYS IN A YEAR FROM 11 A.M. TO MIDNIGHT.

12 (IV) THE PERMIT FEE IS \$50 FOR EACH TIME THE PERMIT IS
13 USED.

14 9-2005.

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

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
18 1, 2016.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.