

SENATE BILL 878

A2

6lr2835
CF 6lr2834

By: **Senator Edwards**

Introduced and read first time: February 5, 2016

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

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; and generally relating to the hours
7 for sale of alcoholic beverages on Sundays in Allegany County.

8 BY repealing and reenacting, without amendments,

9 Article – Alcoholic Beverages

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

11 Annotated Code of Maryland

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

14 BY repealing and reenacting, with amendments,

15 Article – Alcoholic Beverages

16 Section 9–2002(d), 9–2003(d), and 9–2004(b) and (d)

17 Annotated Code of Maryland

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

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

22 **Article – Alcoholic Beverages**

23 9–101.

24 (a) In this title:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) except as provided in subsection (c) of this section, the definitions in §
2 1–101 of this article apply without exception or variation; and

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

4 (b) “Board” means the Board of License Commissioners for Allegany County.
5 9–102.

6 This title applies only in Allegany County.

7 9–2002.

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

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

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

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

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

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

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

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

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

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

28 9–2003.

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

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

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

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

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

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

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

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

15 (iii) A 2-day Sunday sales permit authorizes the holder to sell beer
16 and light wine for on-premises consumption on not more than two Sundays in a year from
17 [1 p.m.] **11 A.M.** Sunday to 2 a.m. the following day.

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

19 9-2004.

20 (b) (1) Except as provided in § 9-2005 of this subtitle for December 31 and
21 January 1, a holder of a Class B beer, wine, and liquor license may sell beer, wine, and
22 liquor:

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

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

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

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

1 3. is issued a 2–day Sunday sales permit in accordance with
2 paragraph (2) of this subsection.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 9–2005.

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

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
5 1, 2016.