

Chapter 133

(House Bill 1109)

AN ACT concerning

Frederick County – Dry Election Districts – Repeal

FOR the purpose of repealing certain provisions of law that prohibit the Board of License Commissioners for Frederick County from issuing certain alcoholic beverages licenses in certain election districts in the County; providing that the Board may issue anywhere in the County, regardless of election district, any license authorized under a certain provision of law except as otherwise provided under a certain provision; requiring that a certain public hearing be held for a license; specifying that the Board may issue a Class C beer, wine, and liquor license to certain organizations; and generally relating to alcoholic beverages licenses in Frederick County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 20–102

Annotated Code of Maryland

(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 20–1602

Annotated Code of Maryland

(As enacted by Chapter ____ (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

20–102.

This title applies only in Frederick County.

20–1602.

[(a) (1) Except as otherwise provided in this section, the Board may not issue a license for an establishment in any of the following election districts:

(i) Catoctin (6th);

(ii) Hauvers (10th);

- (iii) Jackson (16th);
- (iv) Linganore (19th); and
- (v) Ballenger (23rd).

(2) This subsection does not apply to a Class 8 farm brewery license issued under § 2–210 of this article.

(3) The Board may issue the following licenses for an establishment in the Ballenger election district:

- (i) a Class 7 micro–brewery license;
- (ii) a Class B–CC license;
- (iii) a Class B license; and
- (iv) a Class MEC license.

(b) (1) Except as provided in paragraph (2) of this subsection, the Board may issue a Class A, Class B, or Class C beer license for an establishment in any of the following election districts:

- (i) Jefferson (14th);
- (ii) Johnsville (17th); and
- (iii) Burkittsville (22nd).

(2) The Board may issue a Class B–CI (country inn) on–sale beer, wine, and liquor license for the use of an establishment in the Burkittsville (22nd) election district.

(c) The Board may issue a Class A, Class B, or Class C beer and wine license or a Class A, Class B, or Class C beer, wine, and liquor license for an establishment in any of the following election districts:

- (1) Buckeystown (1st);
- (2) Frederick (2nd);
- (3) Creagerstown (4th);
- (4) Emmitsburg (5th);

- (5) Urbana (7th);
- (6) Liberty (8th);
- (7) New Market (9th);
- (8) Woodsboro (11th);
- (9) Petersville (12th);
- (10) Mt. Pleasant (13th);
- (11) Thurmont (15th);
- (12) Woodville (18th);
- (13) Lewistown (20th);
- (14) Tuscarora (21st);
- (15) Braddock (24th);
- (16) Brunswick (25th); and
- (17) Walkersville (26th).

(d) The Board may issue a Class C beer, wine, and liquor license for an establishment in the 3rd election district.

- (e) (1) The Board may issue within the municipal boundaries of Middletown:
- (i) Class A, Class B, or Class C beer licenses;
 - (ii) Class B beer, wine, and liquor (on-sale) licenses, if the licensed premises derives at least 70% of its monthly gross revenue from the sale of food; and
 - (iii) Middletown Wine Festival licenses.
- (2) In all other areas of the Middletown (3rd) election district, the Board may issue only:
- (i) Class A, Class B, or Class C beer licenses; or
 - (ii) Middletown Wine Festival licenses.

(f) (1) Wine may be sold as provided under a winery license, a limited winery license, or a Class A wine license in any election district.

(2) A holder of a limited winery license may provide tables and chairs on the premises of the licensed facility for the sale, by the glass, of wine and pomace brandy made at the facility to an individual who participates in a guided tour of the facility or attends a scheduled promotional event or other organized activity at the licensed premises.]

(A) EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, THE BOARD MAY ISSUE ANY LICENSE:

(1) AUTHORIZED UNDER THIS TITLE ANYWHERE IN THE COUNTY, REGARDLESS OF ELECTION DISTRICT; AND

(2) FOR WHICH A PUBLIC HEARING IS HELD.

[(g)] **(B)** (1) The Board may issue a **CLASS C** beer, wine, and liquor license to:

- (i) a religious organization;
- (ii) a fraternal organization;
- (iii) a civic organization;
- (iv) a war veterans' organization; and
- (v) a patriotic organization.

(2) A license issued under this subsection may be used only for on-premises consumption.

(3) All net proceeds from the sale of alcoholic beverages by an organization listed in paragraph (1) of this subsection shall be used solely for charitable purposes or otherwise to further the purposes of the organization.

[(h) The Board may issue Class C (golf and country club) licenses for establishments in the 16th election district.]

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

Approved by the Governor, April 12, 2016.