

HOUSE BILL 1096

A2

7lr2868

By: **Allegany County Delegation**

Introduced and read first time: February 9, 2017

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

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

3 FOR the purpose of altering the times of sale on Sunday and license privileges on Sunday
4 for certain alcoholic beverages licenses in Allegany County; repealing a certain
5 requirement for certain Sunday sales; and generally relating to alcoholic beverages
6 licenses in Allegany County.

7 BY repealing and reenacting, without amendments,

8 Article – Alcoholic Beverages

9 Section 9–102

10 Annotated Code of Maryland

11 (2016 Volume and 2016 Supplement)

12 BY repealing and reenacting, with amendments,

13 Article – Alcoholic Beverages

14 Section 9–2002, 9–2003, and 9–2004

15 Annotated Code of Maryland

16 (2016 Volume and 2016 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

18 That the Laws of Maryland read as follows:

19 **Article – Alcoholic Beverages**

20 9–102.

21 This title applies only in Allegany County.

22 9–2002.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) on Monday through Saturday from 7 a.m. to 2 a.m. the following
2 day; and

3 (ii) on Sunday from 11 a.m. to [midnight] **2 A.M. THE FOLLOWING**
4 **DAY** if the holder:

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

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

8 (2) (i) The Board may issue a 2-day Sunday sales permit to a holder of
9 a Class A beer license.

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 for off-premises consumption on not more than two Sundays in a year from 11 a.m. to
14 [midnight] **2 A.M. THE FOLLOWING DAY.**

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

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

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

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

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

23 2. is issued a 2-day Sunday sales permit in accordance with
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 C beer license.

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

1 (iii) A 2-day Sunday sales permit authorizes the holder to sell beer
2 for on-premises **AND OFF-PREMISES** consumption on not more than two Sundays in a
3 year 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 (d) (1) Except as provided in § 9-2005 of this subtitle for December 31 and
6 January 1, a holder of a Class D beer license may sell beer:

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

9 (ii) on Sunday, for on-premises **AND OFF-PREMISES** consumption,
10 from 11 a.m. to 2 a.m. the following day if the holder[:

11 1.] pays an additional fee of \$250; [and

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

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

17 (2) (i) The Board may issue a 2-day Sunday sales permit to a holder of
18 a Class D beer license.

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

21 (iii) A 2-day Sunday sales permit authorizes the holder to sell beer
22 for on-premises **AND OFF-PREMISES** consumption on not more than two Sundays in a
23 year from 11 a.m. Sunday to 2 a.m. the following day.

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

25 9-2003.

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

28 (i) on Monday through Saturday from 7 a.m. to 2 a.m. the following
29 day; and

30 (ii) on Sunday from 11 a.m. to [midnight] **2 A.M. THE FOLLOWING**
31 **DAY** if the holder:

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

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

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

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 and light wine for off-premises consumption on not more than two Sundays in a year from
10 11 a.m. to [midnight] **2 A.M. THE FOLLOWING DAY.**

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

12 (c) (1) Except as provided in § 9-2005 of this subtitle for December 31 and
13 January 1, a holder of a Class C beer and light wine license may sell beer and light wine:

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

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

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

19 2. is issued a 2-day Sunday sales permit in accordance with
20 paragraph (2) of this subsection.

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

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

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

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

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 **AND OFF-PREMISES** consumption,
4 from 11 a.m. 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 **AND OFF-PREMISES** consumption on not more than two
17 Sundays in a year from 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 (a) (1) Except as provided in § 9-2005 of this subtitle for December 31 and
21 January 1, a holder of a Class A beer, wine, and liquor license may sell beer, wine, and
22 liquor for off-premises consumption:

23 (i) on Monday through Saturday from 7 a.m. to 2 a.m. the following
24 day; and

25 (ii) on Sunday from 11 a.m. to [midnight] **2 A.M. THE FOLLOWING**
26 **DAY** if the holder:

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

28 2. is issued a 2-day Sunday sales permit in accordance with
29 paragraph (2) of this subsection.

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

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

3 (iii) A 2-day Sunday sales permit authorizes the holder to sell beer,
4 wine, and liquor for off-premises consumption on not more than two Sundays in a year
5 from 11 a.m. to [midnight] **2 A.M. THE FOLLOWING DAY.**

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

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

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 **AND OFF-PREMISES** consumption,
13 from 11 a.m. to 2 a.m. the following day if the holder:

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

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 3. is issued a 2-day Sunday sales permit in accordance with
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 B beer, wine, and liquor license, including a Class B beer, wine, and liquor license
22 issued for use in a restaurant or banquet room in a hotel or motel.

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

25 (iii) A 2-day Sunday sales permit authorizes the holder to sell beer,
26 wine, and liquor for on-premises **AND OFF-PREMISES** consumption on not more than two
27 Sundays in a year from 11 a.m. Sunday to 2 a.m. the following day.

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

29 (c) (1) Except as provided in § 9-2005 of this subtitle for December 31 and
30 January 1, a holder of a Class C beer, wine, and liquor license may sell beer, wine, and
31 liquor:

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 **AND OFF-PREMISES** consumption,
4 from [1 p.m.] **11 A.M.** to 2 a.m. the following day if the holder:

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

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

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

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 **AND OFF-PREMISES** consumption on not more than two
14 Sundays in a year 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 11 a.m. to 2 a.m. the following day if the holder[:

22 1.] pays an additional fee of \$250; [and

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

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

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

30 (ii) An applicant for a 2-day Sunday sales permit need not have
31 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 **AND OFF-PREMISES** consumption on not more than two
3 Sundays in a year from 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 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
6 1, 2017.