

# HOUSE BILL 1096

A2

7lr2868

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By: **Allegany County Delegation**

Introduced and read first time: February 9, 2017

Assigned to: Economic Matters

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Committee Report: Favorable

House action: Adopted

Read second time: March 7, 2017

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## CHAPTER \_\_\_\_\_

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.

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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.



1 This title applies only in Allegany County.

2 9–2002.

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

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

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

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

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

12 (2) (i) The Board may issue a 2–day Sunday sales permit to a holder of  
13 a Class A beer license.

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

16 (iii) A 2–day Sunday sales permit authorizes the holder to sell beer  
17 for off–premises consumption on not more than two Sundays in a year from 11 a.m. to  
18 [midnight] **2 A.M. THE FOLLOWING DAY.**

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

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

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

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

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

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

29 (2) (i) The Board may issue a 2–day Sunday sales permit to a holder of  
30 a Class C beer 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 for on-premises **AND OFF-PREMISES** consumption on not more than two Sundays in a  
5 year from [1 p.m.] **11 A.M.** Sunday to 2 a.m. the following day.

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

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

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

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

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

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

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

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

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

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

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

27 9-2003.

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

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 and light wine 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 and light wine for off-premises consumption on not more than two Sundays in a year from  
14 11 a.m. to [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 and light wine license may sell beer and light wine:

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 and light wine 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 and light wine for on-premises consumption **AND OFF-PREMISES CONSUMPTION** on not  
31 more than two Sundays in a year from [1 p.m.] **11 A.M.** Sunday to 2 a.m. the following day.

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

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

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

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

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

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

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

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

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

18 (iii) A 2–day Sunday sales permit authorizes the holder to sell beer  
19 and light wine for on–premises **AND OFF–PREMISES** consumption on not more than two  
20 Sundays in a year from 11 a.m. Sunday to 2 a.m. the following day.

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

22 9–2004.

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, wine, and liquor license may sell beer, wine, and  
25 liquor for off–premises consumption:

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

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

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

1                                 2.       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 A beer, wine, and liquor license.

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

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

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

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

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 11 a.m. to 2 a.m. the following day if the holder:

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

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

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

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

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 **AND OFF-PREMISES** consumption on not more than two  
31 Sundays in a year from 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 (c) (1) Except as provided in § 9–2005 of this subtitle for December 31 and  
2 January 1, a holder of a Class C beer, wine, and liquor license may sell beer, wine, and  
3 liquor:

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

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

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

9 2. is issued a 2–day Sunday sales permit in accordance with  
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 C beer, wine, and liquor 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 wine, and liquor for on–premises **AND OFF–PREMISES** consumption on not more than two  
17 Sundays in a year from [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 (d) (1) Except as provided in § 9–2005 of this subtitle for December 31 and  
20 January 1, a holder of a Class D beer, wine, and liquor license may sell beer, wine, and  
21 liquor:

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

24 (ii) on Sunday, from 11 a.m. to 2 a.m. the following day if the holder[:

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

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

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

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

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

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

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

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
10 1, 2017.

Approved:

\_\_\_\_\_  
Governor.

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Speaker of the House of Delegates.

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President of the Senate.