

SENATE BILL 513

A2

7lr2643

By: **Senator Muse**

Introduced and read first time: February 1, 2017

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Alcoholic Beverages – Sunday Off-Sale Permit –**
3 **Repeal**

4 FOR the purpose of repealing in Prince George's County the Sunday off-sale permit that
5 authorizes Sunday alcoholic beverages sales for off-premises consumption by Class
6 A beer, wine, and liquor license holders and certain Class B beer, wine, and liquor
7 license holders; making certain conforming changes; and generally relating to repeal
8 of the Sunday off-sale permit in Prince George's County.

9 BY repealing and reenacting, without amendments,
10 Article – Alcoholic Beverages
11 Section 26–102
12 Annotated Code of Maryland
13 (2016 Volume and 2016 Supplement)

14 BY repealing
15 Article – Alcoholic Beverages
16 Section 26–1104
17 Annotated Code of Maryland
18 (2016 Volume and 2016 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article – Alcoholic Beverages
21 Section 26–2004(b) and 26–2006(a)
22 Annotated Code of Maryland
23 (2016 Volume and 2016 Supplement)

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

26 **Article – Alcoholic Beverages**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 26-102.

2 This title applies only in Prince George's County.

3 [26-1104.

4 (a) There is a Sunday off-sale permit.

5 (b) (1) (i) Subject to subsection (f) of this section and subparagraphs (ii)
6 and (iii) of this paragraph, and except as provided in paragraph (2) of this subsection, the
7 Board may issue the permit to the holder of:

8 1. a Class A beer, wine, and liquor license; or

9 2. a Class B beer, wine, and liquor license with an off-sale
10 privilege.

11 (ii) Five Sunday off-sale permits may be issued only to holders of a
12 Class B beer, wine, and liquor license with an off-sale privilege that acquired the license
13 on or after January 1, 2016.

14 (iii) Sunday off-sale permits may be issued to holders of a Class A
15 beer, wine, and liquor license that acquired the license on or after January 1, 2016.

16 (2) The Board may not issue a Sunday off-sale permit to a license holder
17 that the Board finds to have sold liquor on Sunday without a Sunday off-sale permit.

18 (c) The permit authorizes the holder to sell alcoholic beverages for off-premises
19 consumption on Sunday from 8 a.m. to midnight.

20 (d) (1) Except as provided in paragraph (2) of this subsection, an applicant for
21 the permit shall commit in the application to reinvesting a minimum of \$50,000 in the
22 business within 1 year after the permit is issued.

23 (2) (i) The Board may waive the reinvestment requirement.

24 (ii) The Board shall waive the reinvestment requirement for a holder
25 of a Class B beer, wine, and liquor license with an off-sale privilege that acquired the
26 license on or after January 1, 2016, if the holder can show that a minimum of \$50,000 was
27 reinvested in the business within the 3-year period immediately preceding the submission
28 of the application.

29 (3) The Board shall revoke the permit if:

30 (i) the Board did not waive the reinvestment requirement under
31 paragraph (2) of this subsection; and

1 (ii) the permit holder fails to make the required reinvestment.

2 (e) If the permit is issued to the holder of a Class B beer, wine, and liquor license
3 with an off-sale privilege, the holder need not comply with any restaurant or food
4 requirement.

5 (f) Not more than 105 Sunday off-sale permits may be in effect at any one time.

6 (g) (1) The application fee for the permit is \$750.

7 (2) The annual fees for the permit are:

8 (i) \$2,590 for the holder of a Class A beer, wine, and liquor license;
9 and

10 (ii) \$1,080 for the holder of a Class B beer, wine, and liquor license
11 with an off-sale privilege.

12 (3) The fees listed in paragraphs (1) and (2) of this subsection are in
13 addition to the annual fee for the Class A beer, wine, and liquor license or Class B beer,
14 wine, and liquor license to which it is attached.]

15 26-2004.

16 (b) (1) Subject to paragraph (3) of this subsection, a holder of a Class B beer,
17 wine, and liquor license may sell beer, wine, and liquor:

18 (i) except as provided in § 26-2005 of this subtitle, for on-premises
19 consumption, on Monday through Saturday, from 6 a.m. to 2 a.m. the following day;

20 (ii) from 8 a.m. on Sunday to 2 a.m. the following day; and

21 (iii) for off-premises consumption, on Monday through Saturday,
22 from 6 a.m. to midnight.

23 (2) For off-premises consumption on Sunday, the license holder:

24 (i) [if issued a Sunday off-sale permit under § 26-1104 of this title,
25 may sell alcoholic beverages that the holder is licensed to sell from 8 a.m. to midnight;

26 (ii)] may sell beer and light wine from 8 a.m. to midnight at an
27 off-sale store that is attached to and part of the licensed premises; but

28 [(iii)] (II) may not sell beer, wine, or liquor at a separate off-sale
29 store established on the premises.

1 (3) The Board shall adopt reasonable standards to define the term “off-sale
2 store” for the purposes of paragraph (2) of this subsection.

3 26–2006.

4 (a) A holder of a Class A beer, wine, and liquor license may not sell beer, wine, or
5 liquor on Sunday unless[:

6 (1)] the Sunday is December 24 or December 31[; or

7 (2) the holder of a Class A beer, wine, and liquor license holds a Sunday
8 off-sale permit under § 26–1104 of this title].

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