

HOUSE BILL 1363

A2

9lr3014

By: **Prince George's County Delegation**

Introduced and read first time: February 18, 2019

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Alcoholic Beverages – Sunday Off-Sale Permits**

3 **PG 309–19**

4 FOR the purpose of repealing a limitation on the number of Sunday off-sale permits that
5 the Board of License Commissioners for Prince George's County may issue; and
6 generally relating to Sunday off-sale permits in Prince George's County.

7 BY repealing and reenacting, without amendments,

8 Article – Alcoholic Beverages

9 Section 26–102

10 Annotated Code of Maryland

11 (2016 Volume and 2018 Supplement)

12 BY repealing and reenacting, with amendments,

13 Article – Alcoholic Beverages

14 Section 26–1104

15 Annotated Code of Maryland

16 (2016 Volume and 2018 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 26–102.

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

22 26–1104.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
12 1, 2019.