

HOUSE BILL 625

A2

11r0588
CF 11r0394

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

Introduced and read first time: January 22, 2021

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 12, 2021

CHAPTER _____

1 AN ACT concerning

2 **Prince George's County – Alcoholic Beverages – Alcohol Density Zones and**
3 **Licenses**

4 **PG 307-21**

5 FOR the purpose of ~~authorizing the issuance of a Class A beer and wine license for a grocery~~
6 ~~store in an alcohol density zone in Prince George's County under certain~~
7 ~~circumstances; prohibiting the issuance of a Class A beer, wine, and liquor license~~
8 ~~for a grocery store in the county;~~ authorizing the Board of License Commissioners
9 for Prince George's County to approve the transfer of a Class A beer, wine, and liquor
10 license into a part of certain alcoholic beverages districts in the county if the original
11 licensed premises is in an alcohol density zone; defining "alcohol density zone";
12 ~~making a conforming change;~~ and generally relating to alcoholic beverages in Prince
13 George's County.

14 BY repealing and reenacting, without amendments,

15 Article – Alcoholic Beverages

16 Section ~~4-205 and~~ 26-102

17 Annotated Code of Maryland

18 (2016 Volume and 2020 Supplement)

19 BY repealing and reenacting, with amendments,

20 Article – Alcoholic Beverages

21 Section ~~26-101, 26-801, 26-804, 26-901, 26-101~~ and 26-1603(a)

22 Annotated Code of Maryland

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.



(2016 Volume and 2020 Supplement)

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

Article – Alcoholic Beverages

~~4-205.~~

~~(a) This section does not apply to:~~

~~(1) an establishment that already holds a Class A, Class B, or Class D beer license, beer and wine license, or beer, wine, and liquor license; or~~

~~(2) a license holder that sells alcoholic beverages at discount prices.~~

~~(b) A local licensing board may not issue a Class A, Class B, or Class D beer license, beer and wine license, or beer, wine, and liquor license for use in conjunction with or on the premises of:~~

~~(1) a chain store;~~

~~(2) a supermarket; or~~

~~(3) a discount house.~~

26–101.

(a) In this title:

(1) the definitions in § 1–101 of this article apply without exception or variation; and

(2) the following words have the meanings indicated.

(b) **“ALCOHOL DENSITY ZONE” MEANS A CENSUS TRACT HAVING AN AVERAGE OF THREE OR MORE LICENSED PREMISES WITH A CLASS A BEER, WINE, AND LIQUOR LICENSE PER SQUARE MILE.**

(c) **“Board”** means the Board of License Commissioners for Prince George’s County.

[(c)] (D) **“County”** means Prince George’s County.

[(d)] (E) **“Light wine”** means wine that contains not more than 15.5% of alcohol by volume.

1 ~~[(e)] (F)~~ “Taxpayer” means a resident who pays real estate or income tax to the
2 county.

3 ~~26-102.~~

4 This title applies only in Prince George’s County.

5 ~~26-801.~~

6 ~~(a) There is a Class A beer and light wine license.~~

7 ~~(b) (1) The license authorizes the license holder to sell beer and light wine, at
8 retail, at the place described in the license.~~

9 ~~(2) The license holder shall sell the beer and light wine in a sealed package
10 or container.~~

11 ~~(3) The package or container may not be opened and its contents may not
12 be consumed on the premises where the beer or light wine is sold.~~

13 ~~(c) SUBJECT TO § 4-205 OF THIS ARTICLE, A LICENSE MAY BE ISSUED FOR
14 USE IN A GROCERY STORE IN AN ALCOHOL DENSITY ZONE.~~

15 ~~[(e)] (D) (1) (i) A license holder may file an application with the Board to
16 convert the license to a Class D beer and light wine license.~~

17 ~~(ii) A license holder who files an application under subparagraph (i)
18 of this paragraph shall submit an application fee of \$750.~~

19 ~~(2) If a license holder applies for a conversion under paragraph (1)(i) of this
20 subsection, the Board shall hold a public hearing in the same manner a public hearing is
21 held for the issuance of a new license.~~

22 ~~(3) In determining whether to approve an application filed under
23 paragraph (1)(i) of this subsection, the Board shall consider the privileges the license holder
24 exercises under the Class A beer and light wine license.~~

25 ~~(4) If the Board decides to approve an application filed under paragraph
26 (1)(i) of this subsection, the Board shall restrict the privileges of the Class D beer and light
27 wine license to allow the license holder to sell beer and light wine only:~~

28 ~~(i) during the days and hours specified in § 26-2003(a) of this title;
29 and~~

30 ~~(ii) for off-premises consumption.~~

1 ~~[(d)] (E) The annual license fee is \$500.~~

2 ~~26-804.~~

3 ~~(a) There is a Class D beer and light wine license.~~

4 ~~(b) Unless the license is restricted under § 26-601(e) or § 26-604(e) of this title or~~
 5 ~~[\$ 26-801(e)] § 26-801(D) of this subtitle, the license authorizes the license holder to sell~~
 6 ~~beer and light wine, at retail, at the place described in the license, for on- and off-premises~~
 7 ~~consumption.~~

8 ~~(c) The license may not be issued for use by a drugstore.~~

9 ~~(d) The annual license fee is \$500.~~

10 ~~26-901.~~

11 ~~(a) There is a Class A beer, wine, and liquor license.~~

12 ~~(b) (1) The license authorizes the license holder to sell beer, wine, and liquor~~
 13 ~~at retail at the place described in the license.~~

14 ~~(2) The license holder shall sell the beer, wine, or liquor in a sealed package~~
 15 ~~or container that may not be opened or its contents consumed on the licensed premises.~~

16 ~~(c) A license under this section may not be issued for a drugstore unless the~~
 17 ~~applicant:~~

18 ~~(1) has been doing business at the location applied for in the license for at~~
 19 ~~least 1 year before the date of the application for the license;~~

20 ~~(2) is the assignee of a business established for at least 1 year before the~~
 21 ~~date of the application for the license at the location applied for; or~~

22 ~~(3) has been engaged in the retail drug business for at least 3 years.~~

23 ~~(d) A LICENSE UNDER THIS SECTION MAY NOT BE ISSUED FOR USE IN A~~
 24 ~~GROCERY STORE IN AN ALCOHOL DENSITY ZONE.~~

25 ~~(E) The annual license fee is \$910.~~

26 ~~26-1603.~~

27 (a) (1) Except as provided in paragraphs [(2) and] **(2), (3), AND (4)** of this
 28 subsection, the Board may not issue a new license with an off-sale privilege in, or approve

1 the transfer of a license with an off-sale privilege into, a part of the 21st, 22nd, 23rd, 24th,
2 25th, 26th, 27th, or 47th alcoholic beverages district in the county.

3 (2) The Board may issue a license in or approve the transfer of a license
4 into an area specified in paragraph (1) of this subsection if the off-sale privilege of the
5 license is waived.

6 (3) The Board may convert one Class D (on-sale) beer and wine license
7 issued for premises in the 7100 block of Baltimore Avenue in College Park to a Class D
8 (on- and off-sale) beer and wine license for premises in the 7100 to 7200 block of Baltimore
9 Avenue in College Park.

10 (4) **THE BOARD MAY APPROVE THE TRANSFER OF A CLASS A BEER,
11 WINE, AND LIQUOR LICENSE INTO AN AREA SPECIFIED IN PARAGRAPH (1) OF THIS
12 SUBSECTION ONLY IF THE ORIGINAL LICENSED PREMISES IS LOCATED IN AN
13 ALCOHOL DENSITY ZONE.**

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
15 1, 2021.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.