SENATE BILL 618

By: Senator McCray
Introduced and read first time: February 2, 2022
Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

AN ACT concerning

Baltimore City – Alcoholic Beverages – Sales in Grocery Stores and Supermarkets – Referendum

FOR the purpose of authorizing the Board of License Commissioners for Baltimore City to issue a Class A beer and light wine license to a grocery store, chain store, supermarket, or discount house; submitting this Act to a referendum of the qualified voters of Baltimore City; and generally relating to alcoholic beverages in Baltimore City.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 12–102
Annotated Code of Maryland
(2016 Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 12–801, 12–1501, and 12–2003(a)
Annotated Code of Maryland
(2016 Volume and 2021 Supplement)

BY adding to
Article – Alcoholic Beverages
Section 12–1510
Annotated Code of Maryland
(2016 Volume and 2021 Supplement)

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

Article – Alcoholic Beverages

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
This title applies only in Baltimore City.

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

(b) **THE LICENSE MAY BE ISSUED TO A GROCERY STORE, CHAIN STORE, SUPERMARKET, OR DISCOUNT HOUSE.**

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

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

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

[(c)] (D) The annual license fee is $110.

The following sections of Title 4, Subtitle 2 (“Issuance or Denial of Local Licenses”) of Division I of this article apply in the City without exception or variation:

(1) § 4–205 (“Chain store, supermarket, or discount house”);

(2) § 4–206 (“Limitations on retail sales floor space”);

(3) § 4–207 (“Licenses issued to minors”);

(4) § 4–209 (“Hearing”);

(5) § 4–210 (“Approval or denial of license application”);

(6) § 4–211 (“License forms; effective date; expiration”);

(7) § 4–212 (“License not property”); and

(8) § 4–213 (“Replacement licenses”).
SENATE BILL 618

(b) The following sections of Title 4, Subtitle 2 (“Issuance or Denial of Local Licenses”) of Division I of this article do not apply in the City:

(1) § 4–205 (“Chain store, supermarket, or discount house”) and is superseded by § 12–1510 of this subtitle; and

(2) [Section] § 4–214 (“Waiting periods after denial of license applications”) of Division I of this article does not apply in the City and is superseded by § 12–1507 of this subtitle.

c) The following sections of Title 4, Subtitle 2 (“Issuance or Denial of Local Licenses”) of Division I of this article apply in the City:

(1) § 4–202 (“Authority of local licensing boards”), subject to §§ 12–1502 and 12–1503 of this subtitle;

(2) § 4–203 (“Prohibition against issuing multiple licenses to individual or for use of entity”), subject to §§ 12–1504 and 12–1505 of this subtitle and Subtitle 13, Part III and Subtitle 16, Part II of this title;

(3) § 4–204 (“Prohibition against issuing multiple licenses for same premises”), subject to § 12–1505 of this subtitle and Subtitle 13, Part III of this title; and

(4) § 4–208 (“Notice of license application required”), subject to § 12–1506 of this subtitle.

12–1510.

As provided in § 12–801 of this title, the Board may issue a Class A beer and light wine license to a grocery store, chain store, supermarket, or discount house.


(a) (1) (i) Except as provided in Paragraph (2) of this subsection and § 12–2005 of this subtitle, a holder of a Class A beer and light wine license may sell beer and light wine:

[i] 1. on Monday through Saturday:

[1.] A. from 9 a.m. to 10 p.m. in the area specified in the Park Heights Master Plan adopted by the City in 2006; and

[2.] B. from 6 a.m. to midnight in all other locations in the City; and
2. On the Sundays that fall between Thanksgiving Day and New Year’s Day, from 1 p.m. to 9 p.m., if, on or before September 30 of that year, the license holder has paid a supplementary license fee of $75 for each Sunday the privilege is to be exercised.

[(2)] (II) In addition to the privileges specified under paragraph [(1)(ii)] of this subsection, the license holder may sell beer and light wine for off-premises consumption on two additional Sundays during the calendar year if the holder pays a license fee of $75 at least 2 weeks before each time the privilege is exercised.

(2) (I) A HOLDER OF A CLASS A BEER AND LIGHT WINE LICENSE ISSUED TO A GROCERY STORE, CHAIN STORE, SUPERMARKET, OR DISCOUNT HOUSE MAY SELL BEER AND LIGHT WINE ON MONDAY THROUGH SUNDAY FROM 10 A.M. TO MIDNIGHT.

(II) IF THE LICENSE HOLDER IS OPEN ANYTIME OUTSIDE THE HOURS OF SALE AUTHORIZED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE LICENSE HOLDER SHALL KEEP ALL ALCOHOLIC BEVERAGES ON THE PREMISES THAT ARE STORED IN AREAS OPEN TO THE PUBLIC IN A SEPARATE BEVERAGE DEPARTMENT THAT IS SECURELY CLOSED AND LOCKED FROM MIDNIGHT TO 10 A.M.

SECTION 2. AND BE IT FURTHER ENACTED, That before this Act becomes effective, it first shall be submitted to a referendum of the qualified voters of Baltimore City at the general election to be held in November 2022. The Mayor, City Council, and Baltimore City Board of Elections shall do those things necessary and proper to provide for and hold the referendum required by this section. If a majority of the votes cast on the question are “For the referred law” this Act shall become effective on the 30th day following the official canvass of votes for the referendum, but if a majority of the votes cast on the question are “Against the referred law” this Act, with no further action required by the General Assembly, shall be null and void.

SECTION 3. AND BE IT FURTHER ENACTED, That, subject to the provisions of Section 2 of this Act and for the sole purpose of providing for the referendum required by Section 2 of this Act, this Act shall take effect July 1, 2022.