

Chapter 746

(House Bill 241)

AN ACT concerning

**Montgomery County – Damascus – Alcoholic Beverages – Class B Beer, Wine,
and Liquor License Referendum**

MC 12–22

FOR the purpose of authorizing the Board of License Commissioners for Montgomery County to issue a Class B beer, wine, and liquor license in Damascus (12th election district); submitting this Act to a referendum of the qualified voters of the 12th election district in Montgomery County; and generally relating to alcoholic beverages licensing in Montgomery County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 25–102
Annotated Code of Maryland
(2016 Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 25–1603
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

25–102.

This title applies only in Montgomery County.

25–1603.

(a) This section applies only to Damascus (12th election district).

(b) **THE BOARD MAY ISSUE A CLASS B BEER, WINE, AND LIQUOR LICENSE.**

(c) The Board may issue a 7–day Class C (on–sale) beer, wine, and liquor license to a volunteer fire department.

- [(c)] (D)** (1) Subject to paragraph (2) of this subsection:
- (i) the Board may issue Class H beer and wine, hotel and restaurant licenses; and
 - (ii) the licenses may be renewed or transferred.
- (2) A license may be issued, transferred, or renewed if:
- (i) pool tables, billiard tables, shuffleboards, dart boards, video games, pinball machines, or recreational devices are not used in the licensed premises; and
 - (ii) except for beer in containers sold for off-premises consumption as authorized under subsection **[(d)] (E)** of this section, alcoholic beverages served by the license holder are consumed by customers while the customers are seated.

[(d)] (E) The Board may issue to the holder of a Class H beer and wine license:

- (1) a refillable container permit for draft beer under § 25–1103 of this title;
- or
- (2) a nonrefillable container permit for draft beer under § 25–1104.1 of this title.

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 Damascus (12th election district) in Montgomery County at the general election to be held in November 2022. The County governing body and the Montgomery County 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 the Act, this Act shall take effect July 1, 2022.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 29, 2022.