

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 939

(Frederick County Delegation)

Economic Matters

Finance

Frederick County - Alcoholic Beverages - Sunday Sales

This bill extends the Sunday hours of sale for specified alcoholic beverages licenses in Frederick County. For most of the licenses specified in the bill, the modified Sunday hours of sale mirror the existing hours of sale for the other six days of the week. **The bill takes effect July 1, 2023.**

Fiscal Summary

State Effect: None.

Local Effect: The bill does not materially affect Frederick County finances or operations.

Small Business Effect: Potentially meaningful. The bill's extension of operating hours on Sundays for specified license holders could result in them realizing additional sales.

Analysis

Bill Summary/Current Law: The bill extends the Sunday hours of sale for the following alcoholic beverage licenses in Frederick County:

- Class A beer, beer and wine (BW), and beer, wine, and liquor (BWL) licenses;
- Class B beer, BW, and BWL licenses;
- Class C beer, BW, and BWL licenses;
- Class B-CC (conference center) and Class B-DT (dinner theater) BWL licenses;
- Class EC (entertainment center) licenses;
- Class M-G (municipal golf course) BWL licenses; and
- hotel lobby licenses.

A summary of the bill's changes to the Sunday hours of sale for each type of alcoholic beverages license is provided below.

Class A Beer, BW, and BWL Licenses

Class A licensees, subject to the restrictions of the specific license they hold, may sell alcoholic beverages at retail at the place described in their licenses.

Current Hours: 6:00 a.m. to 2:00 a.m. the following day, Monday through Saturday; on Sunday, sales permitted for license holders who have a special Sunday opening permit from 10:00 a.m. to 2:00 a.m. the following day.

Proposed Hours: 6:00 a.m. to 2:00 a.m. the following day, Monday through Saturday; on Sunday, sales permitted for license holders who have a special Sunday opening permit from 6:00 a.m. to 2:00 a.m. the following day.

Class B Beer, and BW Licenses

A Class B beer or BW licensee, subject to the restrictions of the specific license they hold, may sell alcoholic beverages at retail at a hotel or restaurant at the place described in the license (for on- and off-premises consumption).

Current Hours: 6:00 a.m. to 2:00 a.m. the following day, Monday through Saturday; on Sunday, sales permitted for on-premises consumption from 10:00 a.m. to 2:00 a.m. the following day or for a specific event the board has approved, subject to hours set by the board; for off-premises consumption on Sunday, sales permitted from 1:00 p.m. to 2:00 a.m. the following day.

Proposed Hours: 6:00 a.m. to 2:00 a.m. the following day, Monday through Sunday.

Class B BWL Licenses

There are two different types of Class B BWL licenses: (1) a hotel or motel license and (2) a hotel or restaurant license. A Class B BWL (hotel or motel) license authorizes the sale of beer, wine, and liquor by the individual drink at any place on the hotel or motel premises; it also authorizes the sale of beer, wine, and liquor by the bottle for room service or specified on-premises events. A Class B BWL (hotel or restaurant) license authorizes the sale of beer, wine, and liquor for on-premises consumption where meals are prepared and served.

Current Hours: 6:00 a.m. to 2:00 a.m. the following day, Monday through Saturday; on Sunday, sales permitted for on-premises consumption from 10:00 a.m. to 2:00 a.m. the

following day or for a specific event the board has approved, subject to hours set by the board; for off-premises consumption on Sunday, sales permitted from 1:00 p.m. to 2:00 a.m. the following day.

Proposed Hours: 6:00 a.m. to 2:00 a.m. the following day, Monday through Saturday; on Sunday, sales permitted for on-premises consumption from 6:00 a.m. to 2:00 a.m. the following day or for a specific event the board has approved, subject to hours set by the board; for off-premises consumption on Sunday, sales permitted from 1:00 p.m. to 2:00 a.m. the following day.

Class C Beer, BW, and BWL Licenses

A Class C beer or BW licensee, subject to the restrictions of the specific license they hold, may sell alcoholic beverages at retail to members of a club and their guests at the place described in the license for on-premises consumption. A Class C BWL licensee, for on-premises consumption, is authorized to sell beer, wine, and liquor at a club at the place described in the license. For off-premises consumption, a Class C BWL licensee is authorized to sell collectible bottles of wine or liquor 30 calendar days before a special anniversary or special event.

Current Hours: 6:00 a.m. to 2:00 a.m. the following day, Monday through Saturday; on Sunday, 10:00 a.m. to 2:00 a.m. the following day or for a specific event the board has approved, subject to hours set by the board.

Proposed Hours: 6:00 a.m. to 2:00 a.m. the following day, Monday through Sunday.

Class B-CC (Conference Center) BWL Licenses

A Class B-CC (conference center) BWL licensee is authorized to sell beer, wine, and liquor for consumption throughout the licensed premises, both indoors and outdoors, including meeting and banquet rooms, patios, verandas, and green spaces.

Current Hours: 6:00 a.m. to 2:00 a.m. the following day, Monday through Saturday; on Sunday, 11:00 a.m. to 2:00 a.m. the following day.

Proposed Hours: 6:00 a.m. to 2:00 a.m. the following day, Monday through Sunday.

Class B-DT (Dinner Theater) BWL Licenses

A Class B-DT (dinner theater) BWL licensee is authorized to sell beer and wine, by the drink or bottle, and liquor by the drink for on-premises consumption. A licensee may not

sell alcoholic beverages for off-premises consumption or at any time except in conjunction with the dinner theater.

Current Hours: A licensee may sell beer, wine, and liquor beginning two hours before a live performance until the end of the performance, Monday through Saturday; on Sunday, the same restriction applies, except that sales may not begin until 1:00 p.m.

Proposed Hours: A licensee may sell beer, wine, and liquor beginning two hours before a live performance until the end of the performance, Monday through Sunday.

Class EC (Entertainment Center) Licenses

The board may issue a Class EC (entertainment center) license to a person for use in conjunction with (1) a Class 7 micro-brewery license that the person obtains from the Comptroller or (2) a Class B beer, wine, and liquor license that the person has been issued by the board. This license authorizes a licensee to sell specified alcoholic beverages for on-premises consumption only.

Current Hours: 6:00 a.m. to 2:00 a.m. the following day, Monday through Saturday; on Sunday, 11:00 a.m. to 2:00 a.m. the following day.

Proposed Hours: 6:00 a.m. to 2:00 a.m. the following day, Monday through Saturday; on Sunday, sales permitted from 6:00 a.m. to 2:00 a.m. the following day or for a specific event the board has approved, subject to hours set by the board (hours are set in accordance with the hours prescribed for a Class B BWL license under § 20-2005 of the Alcoholic Beverages Article).

Class M-G (Municipal Golf Course) BWL Licenses

A Class M-G (municipal golf course) BWL licensee is authorized to sell beer, wine, and liquor for on-premises consumption on the land and in the facilities used for golfing purposes.

Current Hours: 6:00 a.m. to 10:00 p.m., Monday through Saturday; on Sunday, 10:00 a.m. to 10:00 p.m.

Proposed Hours: 6:00 a.m. to 2:00 a.m. the following day, Monday through Saturday; on Sunday, sales permitted from 6:00 a.m. to 2:00 a.m. the following day or for a specific event the board has approved, subject to hours set by the board (hours are set in accordance with the hours prescribed for a Class B BWL license under § 20-2005 of the Alcoholic Beverages Article).

Hotel Lobby Licenses

A hotel lobby licensee is authorized to sell beer and wine by the bottle from a store in the hotel lobby to patrons of the hotel for on-premises consumption.

Current Hours: 6:00 a.m. to 2:00 a.m. the following day, Monday through Saturday; on Sunday, 11:00 a.m. to 2:00 a.m. the following day.

Proposed Hours: 6:00 a.m. to 2:00 a.m. the following day, Monday through Sunday (hours are set in accordance with the hours prescribed for a Class B BW license under § 20-2004 of the Alcoholic Beverages Article).

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Frederick County; Department of Legislative Services

Fiscal Note History: First Reader - February 17, 2023
km/tso Third Reader - March 20, 2023

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