

HOUSE BILL 1379

A1
HB 847/24 – ECM

5lr1571
CF 5lr2266

By: **Delegate Amprey**
Introduced and read first time: February 7, 2025
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Alcoholic Beverages – Class A License – Retail Establishments**
3 **(Alcoholic Beverages Modernization Act of 2025)**

4 FOR the purpose of authorizing certain establishments that operate as a food retailer,
5 pharmacy, or retail service station to offer to purchase a Class A license from a Class
6 A license holder under certain circumstances; authorizing the retail establishments
7 to apply to a local licensing board for a Class A license under certain circumstances;
8 and generally relating to Class A alcoholic beverages licenses for retail
9 establishments that operate as a food retailer, pharmacy, or retail service station.

10 BY repealing and reenacting, with amendments,
11 Article – Alcoholic Beverages and Cannabis
12 Section 4–205 and 4–303
13 Annotated Code of Maryland
14 (2024 Replacement Volume)

15 BY adding to
16 Article – Alcoholic Beverages and Cannabis
17 Section 4–205.1
18 Annotated Code of Maryland
19 (2024 Replacement Volume)

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

22 **Article – Alcoholic Beverages and Cannabis**

23 4–205.

24 (a) This section does not apply to:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



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

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

4 (b) [A] EXCEPT AS PROVIDED IN § 4-205.1 OF THIS SUBTITLE, A local
5 licensing board may not issue a Class A, Class B, or Class D beer license, beer and wine
6 license, or beer, wine, and liquor license for use in conjunction with or on the premises of:

7 (1) a chain store;

8 (2) a supermarket; or

9 (3) a discount house.

10 **4-205.1.**

11 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
12 INDICATED.

13 (2) "FOOD RETAILER" MEANS A RETAIL ESTABLISHMENT THAT:

14 (I) OFFERS FOR SALE FOOD PRODUCTS IN AT LEAST FIVE OF
15 THE FOLLOWING CATEGORIES:

16 1. FRESH FRUITS AND VEGETABLES;

17 2. FRESH AND UNCOOKED MEAT, POULTRY, AND
18 SEAFOOD;

19 3. DAIRY PRODUCTS;

20 4. CANNED FOODS;

21 5. FROZEN FOODS; AND

22 6. DRY GROCERIES AND BAKED GOODS;

23 (II) ACCEPTS SUPPLEMENTAL NUTRITION ASSISTANCE
24 PROGRAM CREDITS AS PAYMENT FOR FOOD AND BEVERAGES; AND

25 (III) HAS A MINIMUM OF 4,000 SQUARE FEET.

26 (3) "RETAIL ESTABLISHMENT" MEANS AN ESTABLISHMENT THAT:

- 1 **(I) 1. IS A FOOD RETAILER;**
- 2 **2. IS A PHARMACY OPERATED BY A PERSON THAT HOLDS**
3 **A PHARMACY PERMIT ISSUED BY THE STATE BOARD OF PHARMACY UNDER § 12-401**
4 **OF THE HEALTH OCCUPATIONS ARTICLE; OR**
- 5 **3. IS A RETAIL SERVICE STATION THAT SELLS GASOLINE**
6 **AND DIESEL FUEL OR HAS ON-SITE ELECTRIC CHARGING CAPABILITIES FOR A**
7 **MINIMUM OF SIX MOTOR VEHICLES SIMULTANEOUSLY; AND**

8 **(II) EXCEPT AS PROVIDED IN DIVISION II OF THIS ARTICLE, HAS**
9 **A PRIMARY ENTRANCEWAY THAT IS AT LEAST:**

10 **1. 300 FEET FROM THE NEAREST POINT OF A PLACE OF**
11 **WORSHIP OR SCHOOL; AND**

12 **2. 100 FEET FROM ANY RESIDENTIAL PROPERTY NOT**
13 **LOCATED IN THE SAME BUILDING OR STRUCTURE AS THE RETAIL ESTABLISHMENT.**

14 **(B) (1) A RETAIL ESTABLISHMENT LOCATED LESS THAN 3,000 FEET**
15 **FROM A CLASS A LICENSE HOLDER MAY OFFER TO PURCHASE THE CLASS A LICENSE**
16 **FROM THE LICENSE HOLDER.**

17 **(2) A RETAIL ESTABLISHMENT THAT OBTAINS A LICENSE IN**
18 **ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION SHALL CONVERT THE**
19 **LICENSE, IF NECESSARY, TO A CLASS A BEER, CLASS A BEER AND WINE, OR CLASS**
20 **A BEER AND LIGHT WINE LICENSE, REGARDLESS OF THE TYPE OF CLASS A LICENSE**
21 **THAT WAS PURCHASED.**

22 **(C) (1) IF A LICENSE HOLDER DOES NOT ACCEPT A RETAIL**
23 **ESTABLISHMENT'S OFFER, THE RETAIL ESTABLISHMENT MAY APPLY TO THE LOCAL**
24 **LICENSING BOARD FOR A CLASS A BEER OR CLASS A BEER AND WINE LICENSE IN**
25 **ACCORDANCE WITH THE LOCAL LICENSING BOARD'S RULES.**

26 **(2) DEPENDING ON THE TYPES OF LICENSES AVAILABLE IN THE**
27 **JURISDICTION, THE LOCAL LICENSING BOARD SHALL ISSUE TO THE RETAIL**
28 **ESTABLISHMENT:**

29 **(I) A CLASS A BEER LICENSE;**

30 **(II) A CLASS A BEER AND WINE LICENSE; OR**

1 (III) A CLASS A BEER AND LIGHT WINE LICENSE.

2 (D) AN APPLICATION FOR A CLASS A BEER OR CLASS A BEER AND WINE
3 LICENSE SUBMITTED BY A RETAIL ESTABLISHMENT:

4 (1) IS PRESUMED TO BE IN THE BEST INTEREST OF THE COMMUNITY;
5 AND

6 (2) MAY NOT BE DENIED FOR ANY REASON OTHER THAN A REASON
7 TRADITIONALLY CONSIDERED BY A LOCAL LICENSING BOARD.

8 (E) A HOLDER OF A LICENSE ISSUED IN ACCORDANCE WITH THIS SECTION
9 OR AN EMPLOYEE DESIGNATED BY THE HOLDER SHALL COMPLETE TRAINING IN AN
10 APPROVED ALCOHOL AWARENESS PROGRAM IN ACCORDANCE WITH § 4-505 OF THIS
11 TITLE.

12 (F) A HOLDER OF A LICENSE ISSUED IN ACCORDANCE WITH THIS SECTION:

13 (1) SHALL EMPLOY SWORN SECURITY PERSONNEL FOR THE PUBLIC
14 AREA OF THE STORE DEDICATED TO THE SALE OF ALCOHOLIC BEVERAGES;

15 (2) MAY SELL ALCOHOLIC BEVERAGES BETWEEN THE HOURS OF 9
16 A.M. AND 8 P.M., MONDAY THROUGH SATURDAY; AND

17 (3) MAY NOT:

18 (I) SELL ALCOHOLIC BEVERAGES BY MEANS OF A
19 SELF-SCANNING CASH REGISTER OR OTHER AUTOMATED SYSTEM THAT IS:

20 1. CAPABLE OF RECOVERING STORED INFORMATION
21 RELATED TO THE SALE PRICE OF INDIVIDUAL RETAIL ITEMS; AND

22 2. OPERATED ON A SELF-SERVICE BASIS BY A
23 CUSTOMER;

24 (II) DELIVER ALCOHOLIC BEVERAGES;

25 (III) SELL INDIVIDUAL CANS OR BOTTLES OF MIXED COCKTAILS
26 OR MALT BEVERAGES THAT ARE 40 OUNCES OR LESS; OR

27 (IV) POST ANY SIGNS ON THE EXTERIOR OF THE ESTABLISHMENT
28 OR IN THE AREA DEDICATED TO THE SALE OF BEER AND WINE THAT ADVERTISE
29 ALCOHOLIC BEVERAGES.

1 4-303.

2 [A] EXCEPT AS PROVIDED IN § 4-205.1 OF THIS TITLE, A Class A, Class B, or
3 Class D beer license, beer and wine license, or beer, wine, and liquor license may not be
4 transferred for use in conjunction with or on the premises of a chain store, supermarket, or
5 discount house unless:

6 (1) the establishment already holds a Class A, Class B, or Class D beer
7 license, beer and wine license, or beer, wine, and liquor license; or

8 (2) the license is transferred to a similar type of establishment.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
10 1, 2025.