

SENATE BILL 390

A2

6lr3139
CF 6lr1900

By: **Wicomico County Senators**

Introduced and read first time: January 28, 2026

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Wicomico County – Class A Beer, Wine, and Liquor License – Alterations**

3 FOR the purpose of prohibiting the Board of License Commissioners for Wicomico County
4 from issuing a Class A beer, wine, and liquor license to a certain establishment with
5 retail floor space of more than a certain number of square feet; prohibiting the Board
6 from issuing a Class A beer, wine, and liquor license for use at certain restaurants,
7 subject to certain grandfather provisions; clarifying that the prohibition against
8 issuing multiple licenses to an individual or for use by an entity does not apply to
9 the issuance of a Class A beer, wine, and liquor license for use at certain restaurants;
10 prohibiting the Board from issuing more than a certain number of Class A beer, wine,
11 and liquor licenses ~~for use in each county in a councilmanic district; repealing the~~
12 ~~authority of a Class A beer, wine, and liquor license holder to purchase liquor for~~
~~retail sale from an alcoholic beverages wholesaler; and generally relating to alcoholic~~
beverages licenses in Wicomico County.

13 BY repealing and reenacting, without amendments,
14 Article – Alcoholic Beverages and Cannabis
15 Section 32–102
16 Annotated Code of Maryland
17 (2024 Replacement Volume and 2025 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – Alcoholic Beverages and Cannabis
20 Section 32–901 and 32–1502
21 Annotated Code of Maryland
22 (2024 Replacement Volume and 2025 Supplement)

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

25 **Article – Alcoholic Beverages and Cannabis**

26 32–102.

2 REPRINT OF SENATE BILL 390 as amended by SB0390/213528/1 02/18/26 at 12:19 PM

1 This title applies only in Wicomico County.

2 32-901.

3 (a) IN THIS SECTION, "RETAIL FLOOR SPACE" MEANS THAT AREA OF AN ESTABLISHMENT WHERE
ALCOHOLIC BEVERAGES AND OTHER ITEMS ARE DISPLAYED FOR SALE AND SOLD.

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

4 ~~(C)~~ (C) (1) (I) [A] BEFORE JULY 1, 2026, A license may be issued only to an
 5 establishment that has been:

6 [(i)] 1. issued a Class B license; and

7 [(ii)] 2. continually operating as a restaurant in the county since
 8 at least 3 months before the application for the license.

9 (II) ON OR AFTER JULY 1, 2026, A LICENSE:

10 1. MAY NOT BE ISSUED TO AN ESTABLISHMENT THAT HAS
 11 BEEN ISSUED A CLASS B LICENSE; AND

12 2. MAY BE RENEWED FOR AN ESTABLISHMENT THAT HAS
 13 A CLASS B LICENSE THAT WAS ISSUED BEFORE JULY 1, 2026.

14 (2) The Board may not issue a license to an establishment that is a
 15 corporation or limited liability company unless the license applicant owns 75% of the total
 16 issued capital stock of the corporation or the limited liability company.

17 (3) The Board may issue:

(I) NOT MORE THAN ONE LICENSE IN A COUNCILMANIC DISTRICT; AND

18 (II) not more than A TOTAL OF ~~three licenses in the county~~ ~~ONE~~
~~LICENSE FOR USE IN EACH COUNTY COUNCILMANIC DISTRICT.~~

(4) THE BOARD MAY NOT ISSUE A LICENSE TO AN ESTABLISHMENT WITH RETAIL
FLOOR SPACE OF MORE THAN 3,500 SQUARE FEET.

19 ~~(D)~~ (D) (1) Subject to paragraph (2) of this subsection, the license authorizes
 the
 20 license holder to sell beer, wine, and liquor, at retail at the place described in the
 21 application, for off-premises consumption.

22 (2) [The] **FOR A LICENSE ISSUED TO A CLASS B LICENSE HOLDER**
 23 **BEFORE JULY 1, 2026, THE** place described in the application:

24 (i) may not exceed 20% of the area normally used in the operation
 25 of the restaurant business; and

26 (ii) shall be contiguous to and adjoin the restaurant establishment.

27 ~~(E)~~ (E) The license may not be issued for a drugstore unless the applicant:

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

3 REPRINT OF SENATE BILL 390 as amended by SB0390/213528/1 02/18/26 at 12:19 PM

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

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

4 ~~(F)~~ (1) The license holder shall purchase liquor for retail sale from a
5 county dispensary ~~for from a wholesaler~~.

6 (2) A dispensary may not charge the license holder more than 15% above
7 the wholesale operating cost to the dispensary.

8 ~~(G)~~ The annual license fee is \$4,400 and is in addition to [the] ANY fee THAT MAY
9 BE paid for [the] A Class B license.

10 32-1502.

11 The prohibitions against one person being issued more than one license under §
12 4-203 of this article do not apply to:

13 (1) a Class 6 pub-brewery license issued under § 2-208 of this article or a
14 Class 7 micro-brewery license issued under § 2-209 of this article; [or]

15 (2) **A CLASS A BEER, WINE, AND LIQUOR LICENSE ISSUED UNDER §**
16 **32-901 OF THIS TITLE BEFORE JULY 1, 2026, TO A HOLDER OF A CLASS B LICENSE;**
17 **OR**

18 **(3)** a Class B beer, wine, and liquor license issued under § 32-902 of this
19 article if:

20 (i) the resident applicant is a resident of the county at the time of
21 application; and

22 (ii) the minimum capital investment in the premises is at least
23 \$200,000 or the premises have a fair market value of at least \$200,000.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
25 1, 2026.