

# HOUSE BILL 1070

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3lr0524

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By: **Prince George's County Delegation**

Introduced and read first time: February 8, 2013

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Alcoholic Beverages – City of College Park – Sales by License Holders**

3 **PG 309–13**

4 FOR the purpose of requiring the City Council of the City of College Park to make a  
5 certain determination regarding the granting of a license to sell alcoholic  
6 beverages in a certain building located within a certain distance of a place of  
7 worship; making certain stylistic changes; and generally relating to the sale of  
8 alcoholic beverages in the City of College Park.

9 BY repealing and reenacting, without amendments,  
10 Article 2B – Alcoholic Beverages  
11 Section 9–217(a)  
12 Annotated Code of Maryland  
13 (2011 Replacement Volume and 2012 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article 2B – Alcoholic Beverages  
16 Section 9–217(e)  
17 Annotated Code of Maryland  
18 (2011 Replacement Volume and 2012 Supplement)

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

21 **Article 2B – Alcoholic Beverages**

22 9–217.

23 (a) This section applies only in Prince George's County.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (e)   (1)   (i)   Except as provided in item (ii) of this paragraph, a license  
2 may not be granted to sell alcoholic beverages in any building located within 1,000 feet  
3 of a school building, or within 500 feet of a place of worship. The 1,000 feet, or the 500  
4 feet, as the case may be, is to be measured from the front door or main entrance,  
5 whichever is nearest the street abutting the premises, of the proposed licensed  
6 establishment along the nearest usual pedestrian route to the door closest to the  
7 licensed premises which is used as an entrance or exit to any school, or to the main  
8 entrance of the place of worship.

9                               (ii)   In the part of the Gateway Arts and Entertainment District  
10 located in the City of Hyattsville, as designated by the Secretary of Business and  
11 Economic Development, the front door or main entrance of an establishment for which  
12 a Class D beer and wine license is issued may be used if the door or entrance is at  
13 least 350 feet from a place of worship.

14                               (2)   **[This] EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (7)**  
15 **OF THIS SUBSECTION, THIS** restriction does not apply in the case of a **[church]**  
16 **PLACE OF WORSHIP** if the governing body of the **[church] PLACE OF WORSHIP**  
17 concerned consents in writing to the granting of the license. The consent shall be filed  
18 with the application. The license of any person or persons or for the use of a  
19 corporation or unincorporated association issued for any building located within the  
20 requisite distance from a **[church] PLACE OF WORSHIP** or school building may be  
21 renewed or extended for the same building.

22                               (3)   This restriction does not apply to any transfer or assignment of a  
23 license located within the distance of 1,000 feet to another place of business within the  
24 specified distance **[and/]**or to an assignee of the license within the distance of the same  
25 **[church] PLACE OF WORSHIP** or school building.

26                               (4)   This does not apply to the issuance of a license for a place of  
27 business, not having an alcoholic beverage license, to which an alcoholic beverage  
28 license had been issued and was in force and effect on June 1, 1965, as to a license of  
29 the same class which was in force and effect as of that date, applied for in the place of  
30 business nor to a renewal of a license of any establishment where, subsequent to the  
31 original granting of the license a school **[or church] building OR PLACE OF WORSHIP**  
32 was erected within 1,000 feet.

33                               (5)   This subsection does not apply to any license issued under §  
34 6-201(r)(2), (4), (5), (15), (16), or (18) or § 7-101 of this article.

35                               (6)   This restriction does not apply in the case of a private kindergarten  
36 or nursery school.

37                               **(7) (I) THIS PARAGRAPH APPLIES ONLY IN THE CITY OF**  
38 **COLLEGE PARK.**

1                   **(II) THE CITY COUNCIL OF THE CITY OF COLLEGE PARK**  
2 **SHALL DETERMINE IF A LICENSE MAY BE GRANTED TO SELL ALCOHOLIC**  
3 **BEVERAGES IN A BUILDING LOCATED WITHIN 500 FEET OF THE PLACE OF**  
4 **WORSHIP.**

5           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6   October 1, 2013.