

HOUSE BILL 1096

A2

11r1312

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

Introduced and read first time: February 11, 2011

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Alcoholic Beverages – Sunday Off-Sale Permit**

3 **PG 310–11**

4 FOR the purpose of establishing a special Sunday off-sale permit in Prince George's
5 County; authorizing the Board of License Commissioners to issue the permit to
6 certain license holders; authorizing a permit holder to sell certain alcoholic
7 beverages during a certain time on Sunday for consumption off the premises;
8 providing a permit fee; authorizing the Board to adopt certain regulations;
9 clarifying the privileges of a certain on-sale permit; making certain stylistic
10 changes; and generally relating to alcoholic beverages in Prince George's
11 County.

12 BY repealing and reenacting, without amendments,
13 Article 2B – Alcoholic Beverages
14 Section 11–517(a)
15 Annotated Code of Maryland
16 (2005 Replacement Volume and 2010 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article 2B – Alcoholic Beverages
19 Section 11–517(b)(1) and (2)(ii) and (f)
20 Annotated Code of Maryland
21 (2005 Replacement Volume and 2010 Supplement)

22 BY adding to
23 Article 2B – Alcoholic Beverages
24 Section 11–517(l)
25 Annotated Code of Maryland
26 (2005 Replacement Volume and 2010 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article 2B – Alcoholic Beverages**

4 11–517.

5 (a) This section applies only in Prince George’s County.

6 (b) (1) (i) A holder of any retail “on–sale” alcoholic beverage license or
7 any agent, servant or employee of a holder of any “on–sale” alcoholic beverage license
8 may not sell or serve any alcoholic beverages for consumption on the licensed premises
9 or permit any alcoholic beverages to be consumed on the licensed premises between
10 the hours of 2:00 a.m. and 6:00 a.m., except as provided in subsection (c) of this
11 section.

12 (ii) Holders of any “on–sale” retail alcoholic beverage license,
13 their agents, servants, or employees may sell beer and light wine on Sunday for
14 consumption on the licensed premises, except between the hours of 2:00 a.m. and 8:00
15 a.m.

16 (iii) Subject to paragraph (2) of this subsection, a holder of any
17 Class B restaurant license, with or without [a] AN ON–SALE Sunday permit **THAT**
18 **AUTHORIZES THE HOLDER TO SELL LIQUOR BY THE GLASS**, may sell beer, wine
19 and liquor on Sunday when it falls on Christmas Eve or New Year’s Eve, except
20 between the hours of 2:00 a.m. and 8:00 a.m.

21 (2) (ii) A holder of a Class A beer, wine and liquor license or any
22 agent, servant or employee of a holder of a Class A beer, wine and liquor license may
23 not make any sale on Sunday after 12:00 a.m. [except when] **UNLESS:**

24 1. December 24 and 31 fall on a Sunday; **OR**

25 2. **THE HOLDER HOLDS A SUNDAY OFF–SALE**
26 **PERMIT UNDER SUBSECTION (L) OF THIS SECTION.**

27 (f) (1) (I) [Notwithstanding any other provisions of this article, but in
28 addition thereto] **EXCEPT AS PROVIDED IN SUBSECTION (L) OF THIS SECTION**
29 **AND SUBPARAGRAPH (II) OF THIS PARAGRAPH**, the holder of a beer, wine and
30 liquor license, Class B, his agents, servants or employees may not sell any alcoholic
31 beverages for consumption off the licensed premises between the hours of 12:00 a.m.
32 and 6:00 a.m. or on Sunday after 12:00 a.m. from any separate store established on the
33 licensed premises as an “off–sale store” or to keep an “off–sale store” open for business
34 on Sunday after 12:00 a.m. [except that beer]

1 **(II) BEER** and light wine only may be sold from an “off-sale”
2 store which is attached to and a part of the licensed premises on Sunday after 8:00
3 a.m. until 12:00 a.m. the day following.

4 **(2) (I)** For the purpose of this provision, the Board of License
5 Commissioners shall determine by reasonable standards what shall constitute an
6 “off-sale store”.

7 **(II)** Nothing further herein shall be construed to permit sales at
8 any time between 12:00 a.m. and 6:00 a.m. of any day.

9 **(L) (1) THERE IS A SPECIAL SUNDAY OFF-SALE PERMIT.**

10 **(2) THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE THE**
11 **PERMIT TO A HOLDER OF:**

12 **(I) ANY CLASS A LICENSE; OR**

13 **(II) A CLASS B BEER, WINE AND LIQUOR LICENSE WITH AN**
14 **OFF-SALE PRIVILEGE.**

15 **(3) THE PERMIT AUTHORIZES THE SALE OF ALCOHOLIC**
16 **BEVERAGES THAT THE HOLDER IS LICENSED TO SELL:**

17 **(I) FROM 8 A.M. ON SUNDAY TO MIDNIGHT THE FOLLOWING**
18 **DAY; AND**

19 **(II) FOR CONSUMPTION OFF THE PREMISES ONLY.**

20 **(4) THE ANNUAL PERMIT FEE IS \$450, WHICH IS IN ADDITION TO**
21 **THE ANNUAL FEE FOR THE HOLDER’S ALCOHOLIC BEVERAGES LICENSE.**

22 **(5) THE BOARD OF LICENSE COMMISSIONERS MAY ADOPT**
23 **REGULATIONS TO CARRY OUT THIS SUBSECTION.**

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2011.