

# SENATE BILL 809

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EMERGENCY BILL

8lr0542  
CF HB 22

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By: **Senators Oaks and Robinson**

Introduced and read first time: February 5, 2018

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Alcoholic Beverages – Hours of Sale – References to Park**  
3 **Heights Redevelopment Area**

4 FOR the purpose of creating an exception from hours of sale restrictions for certain alcoholic  
5 beverages licenses issued for establishments in a certain area in Baltimore City;  
6 repealing certain references to the “Park Heights Redevelopment Area”; making this  
7 Act an emergency measure; providing for the effective date of certain provisions of  
8 this Act; and generally relating to alcoholic beverages in Baltimore City.

9 BY repealing and reenacting, without amendments,  
10 Article – Alcoholic Beverages  
11 Section 12–102  
12 Annotated Code of Maryland  
13 (2016 Volume and 2017 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article – Alcoholic Beverages  
16 Section 12–2003, 12–2004, and 12–2005(c)  
17 Annotated Code of Maryland  
18 (2016 Volume and 2017 Supplement)

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

21 **Article – Alcoholic Beverages**

22 12–102.

23 This title applies only in Baltimore City.

24 12–2005.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) (1) **THIS SUBSECTION DOES NOT APPLY TO:**

2 (I) **A CLASS B BEER AND LIGHT WINE LICENSE;**

3 (II) **A CLASS B BEER, WINE, AND LIQUOR LICENSE;**

4 (III) **A CLASS C BEER AND LIGHT WINE LICENSE; AND**

5 (IV) **A CLASS C BEER, WINE, AND LIQUOR LICENSE.**

6 (2) For a license holder in an area bounded by Liberty Heights Avenue,  
7 Northern Parkway, Druid Park Drive, and Wabash Avenue, the hours of sale:

8 [(1)] (I) may not begin before 9 a.m. or end after 9 p.m.; and

9 [(2)] (II) may not be extended if they begin later than 9 a.m. or end before  
10 9 p.m.

11 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
12 as follows:

13 **Article – Alcoholic Beverages**

14 12–2003.

15 (a) (1) Except as provided in § 12–2005 of this subtitle, a holder of a Class A  
16 beer and light wine license may sell beer and light wine:

17 (i) on Monday through Saturday:

18 1. from 9 a.m. to midnight in the [Park Heights  
19 Redevelopment Area that is] **AREA** specified in the Park Heights Master Plan adopted by  
20 the City in 2006; and

21 2. from 6 a.m. to midnight in all other locations in the City;  
22 and

23 (ii) on the Sundays that fall between Thanksgiving Day and New  
24 Year's Day, from 1 p.m. to 9 p.m., if, on or before September 30 of that year, the license  
25 holder has paid a supplementary license fee of \$75 for each Sunday the privilege is to be  
26 exercised.

27 (2) In addition to the privileges specified under paragraph (1)(ii) of this  
28 subsection, the license holder may sell beer and light wine for off-premises consumption on  
29 two additional Sundays during the calendar year if the holder pays a license fee of \$75 at

1 least 2 weeks before each time the privilege is exercised.

2 (b) (1) Except as provided in § 12–2005 of this subtitle, a holder of a Class B  
3 beer and light wine license may sell beer and light wine:

4 (i) from 9 a.m. to 2 a.m. the following day in the [Park Heights  
5 Redevelopment Area that is] AREA specified in the Park Heights Master Plan adopted by  
6 the City in 2006; and

7 (ii) from 6 a.m. to 2 a.m. the following day in all other locations in  
8 the City.

9 (2) Except as provided in § 12–2005 of this subtitle and § 12–903(d) of this  
10 title, the license holder may sell beer and light wine at a bar or counter on Sunday.

11 (c) (1) Except as otherwise provided in this subtitle, a holder of a Class C beer  
12 and light wine license may sell beer and light wine:

13 (i) from 9 a.m. to 2 a.m. the following day in the [Park Heights  
14 Redevelopment Area that is] AREA specified in the Park Heights Master Plan adopted by  
15 the City in 2006; and

16 (ii) from 6 a.m. to 2 a.m. the following day in all other locations in  
17 the City.

18 (2) Except as provided in § 12–2005 of this subtitle, the license holder may  
19 sell beer and light wine at a bar or counter on Sunday.

20 (d) Except as provided in § 12–2005 of this subtitle, a holder of a Class D beer and  
21 light wine license may sell beer and light wine:

22 (1) from 9 a.m. to 1 a.m. the following day in the [Park Heights  
23 Redevelopment Area that is] AREA specified in the Park Heights Master Plan adopted by  
24 the City in 2006; and

25 (2) from 6 a.m. to 1 a.m. the following day in all other locations in the City.

26 12–2004.

27 (a) (1) Except as otherwise provided in this subtitle, a holder of a Class A beer,  
28 wine, and liquor license may sell beer, wine, and liquor:

29 (i) on Monday through Saturday:

30 1. from 9 a.m. to midnight in the [Park Heights  
31 Redevelopment Area that is] AREA specified in the Park Heights Master Plan adopted by

1 the City in 2006; and

2                                 2.       from 6 a.m. to midnight in all other locations in the City;  
3 and

4                                 (ii)     on the Sundays that fall between Thanksgiving Day and New  
5 Year's Day, from 1 p.m. to 9 p.m., if, on or before September 30 of that year, the license  
6 holder has paid a supplementary license fee of \$75 for each Sunday the privilege is to be  
7 exercised.

8                                 (2)     In addition to the privileges specified under paragraph (1)(ii) of this  
9 subsection, the license holder may sell beer, wine, and liquor for off-premises consumption  
10 on two additional Sundays during the calendar year if the holder pays a license fee of \$75  
11 at least 2 weeks before each time the privilege is exercised.

12                                 (b)     (1)     Except as provided in § 12-2005 of this subtitle, a holder of a Class B  
13 beer, wine, and liquor license may sell beer, wine, and liquor:

14   (i)     from 9 a.m. to 2 a.m. the following day in the [Park Heights  
15 Redevelopment Area that is] AREA specified in the Park Heights Master Plan adopted by  
16 the City in 2006; and

17   (ii)    from 6 a.m. to 2 a.m. the following day in all other locations in  
18 the City.

19   (2)     In the 47th alcoholic beverages district in the City, the hours for sales  
20 of beer, wine, and liquor for off-premises consumption under a Class B beer, wine, and  
21 liquor license for use in a restaurant are as provided in § 12-903(d) of this title.

22   (3)     Except as provided in § 12-2005 of this subtitle and § 12-903(d) of this  
23 title, the license holder may sell beer, wine, and liquor at a bar or counter on Sunday.

24                                 (c)     Except as provided in § 12-2005 of this subtitle, a holder of a Class B-D-7  
25 beer, wine, and liquor license may sell beer, wine, and liquor:

26   (1)     from 9 a.m. to 2 a.m. the following day in the [Park Heights  
27 Redevelopment Area that is] AREA specified in the Park Heights Master Plan adopted by  
28 the City in 2006; and

29   (2)     from 6 a.m. to 2 a.m. the following day in all other locations in the City.

30                                 (d)     (1)     Except as otherwise provided in this subtitle, a holder of a Class C beer,  
31 wine, and liquor license may sell beer, wine, and liquor:

32   (i)     from 9 a.m. to 2 a.m. the following day in the [Park Heights  
33 Redevelopment Area that is] AREA specified in the Park Heights Master Plan adopted by

1 the City in 2006; and

2 (ii) from 6 a.m. to 2 a.m. the following day in all other locations in  
3 the City.

4 (2) Except as provided in § 12–2005 of this subtitle and § 12–903 of this  
5 title, the license holder may sell beer, wine, and liquor at a bar or counter on Sunday.

6 (e) A holder of a Class D beer, wine, and liquor amusement permit may sell all  
7 alcoholic beverages at all hours except between 2 a.m. and 6 a.m. each day.

8 (f) (1) Except as provided in § 12–2005 of this subtitle, a holder of a Class D  
9 beer, wine, and liquor license may sell beer, wine, and liquor on Monday through Saturday:

10 (i) from 9 a.m. to 1 a.m. the following day in the [Park Heights  
11 Redevelopment Area that is] AREA specified in the Park Heights Master Plan adopted by  
12 the City in 2006; and

13 (ii) from 6 a.m. to 1 a.m. the following day in all other locations in  
14 the City.

15 (2) Except as provided in paragraph (3) of this subsection and § 12–2007(b)  
16 of this subtitle, the license holder may not exercise the privileges of the license without an  
17 amusement permit from 1 a.m. on Sunday to 6 a.m. the following day.

18 (3) (i) The Board may issue a supplemental license not more than four  
19 times during a calendar year to the license holder authorizing the license holder to sell  
20 beer, wine, and liquor from 6 a.m. on Sunday to 1 a.m. the following day.

21 (ii) The fee for the supplemental license is \$75 per issuance and is in  
22 addition to the annual fee for the underlying Class D beer, wine, and liquor license.

23 (iii) A holder of a supplemental license shall notify the Board at least  
24 2 weeks in advance of exercising the privileges under the supplemental license.

25 SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take  
26 effect July 1, 2018.

27 SECTION 4. AND BE IT FURTHER ENACTED, That this Act is an emergency  
28 measure, is necessary for the immediate preservation of the public health or safety, has  
29 been passed by a ye and nay vote supported by three–fifths of all the members elected to  
30 each of the two Houses of the General Assembly, and, except as provided in Section 3 of  
31 this Act, shall take effect from the date it is enacted.