

HOUSE BILL 1023

A2

11r2185

By: **Delegates Glenn, Anderson, Conaway, Harrison, Haynes, McHale,
B. Robinson, Stukes, and Tarrant**

Introduced and read first time: February 11, 2011

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 31, 2011

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City – 45th Legislative District – Liquor Stores – Premises Near**
3 **~~Churches~~ Places of Worship or Schools**

4 FOR the purpose of increasing the distance that liquor stores in the 45th Legislative
5 District in Baltimore City are required to be from ~~churches~~ places of worship or
6 schools; providing for the application of this Act; and generally relating to the
7 distance that liquor stores are required to be from ~~churches~~ places of worship or
8 schools in the 45th Legislative District in Baltimore City.

9 BY repealing and reenacting, with amendments,
10 Article 2B – Alcoholic Beverages
11 Section 9–204.3
12 Annotated Code of Maryland
13 (2005 Replacement Volume and 2010 Supplement)

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

16 **Article 2B – Alcoholic Beverages**

17 9–204.3.

18 (a) ~~In~~ **(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
19 **SUBSECTION, IN** Baltimore City, no new license, or removal of an existing license,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 shall be granted to sell alcoholic beverages in any building located within ~~300~~ 500
2 feet of the nearest point of the buildings of a church or school, but the license of any
3 person now holding a license for any building located within such distance of the
4 building grounds of a church or school may be renewed or extended for the same
5 building.

6 **(2) IN THE 45TH LEGISLATIVE DISTRICT IN BALTIMORE CITY, A**
7 **NEW CLASS A LICENSE OF ANY TYPE MAY NOT BE ISSUED FOR THE SALE OF**
8 **ALCOHOLIC BEVERAGES IN A BUILDING LOCATED WITHIN 500 FEET OF THE**
9 **NEAREST POINT OF THE BUILDING OF A PLACE OF WORSHIP OR SCHOOL.**

10 (b) The restrictions regarding distance IN SUBSECTION (A)(1) OF THIS
11 SECTION do not apply to the following licenses, which may be issued within the ~~300~~
12 ~~500~~ feet limitation:

13 (1) Except in the 46th Legislative District, Class B beer and wine;

14 (2) Except in the 46th Legislative District, Class B beer, wine and
15 liquor;

16 (3) Class C beer and wine; and

17 (4) Class C beer, wine and liquor.

18 (c) Except in the 46th Legislative District, the governing body of any church
19 in writing may waive the restrictions of this section regarding licenses not specified in
20 subsection (b) with respect to cafes or restaurants located within 250 feet of a theater
21 having a capacity of not less than 300 seats, which theater is operated by a nonprofit
22 theater association.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
24 construed to apply only prospectively and may not be applied or interpreted to have
25 any effect on or application to any Class A alcoholic beverages license issued in the
26 45th Legislative District in Baltimore City before the effective date of this Act.

27 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take
28 effect October 1, 2011.