

Chapter 641

(House Bill 1029)

AN ACT concerning

Montgomery County – Alcoholic Beverages – Class BD–BWL License – Hours of Sale

MC 17–16

FOR the purpose of altering the hours of sale for consumption on the licensed premises of a holder of a Class BD–BWL license in Montgomery County; authorizing the Board of License Commissioners to issue a caterer’s license to a holder of a Class BD–BWL license; specifying that a certain limit on the maximum number of certain licenses a person may hold includes no more than a certain number of Class BD–BWL licenses; and generally relating to the sale of alcoholic beverages in Montgomery County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 25–903(a) and (b) and 25–1615

Annotated Code of Maryland

(As enacted by Chapter ___ (S.B. ___)(6lr1406) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 25–903(i), 25–1202, and 25–1614

Annotated Code of Maryland

(As enacted by Chapter ___ (S.B. ___)(6lr1406) of the Acts of the General Assembly of 2016)

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

Article – Alcoholic Beverages

25–903.

- (a) There is a Class BD–BWL license.
- (b) The license authorizes the license holder to sell:
 - (1) beer and wine for on– or off–premises consumption; and
 - (2) liquor for on–premises consumption.

(i) On 7 days of the week, the hours of sale are:

(1) for on-premises consumption [, from 10 a.m. to 2 a.m. the following day]:

(I) FROM 9 A.M. TO 2 A.M. THE FOLLOWING DAY, ON MONDAY, TUESDAY, WEDNESDAY, AND THURSDAY;

(II) FROM 9 A.M. TO 3 A.M. THE FOLLOWING DAY, ON FRIDAY AND SATURDAY;

(III) FROM 10 A.M. TO 3 A.M. THE FOLLOWING DAY, ON SUNDAY WHEN THE FOLLOWING DAY HAS BEEN DESIGNATED BY THE FEDERAL GOVERNMENT AS ONE OF THE FOLLOWING HOLIDAYS:

1. WASHINGTON’S BIRTHDAY;

2. MEMORIAL DAY;

3. INDEPENDENCE DAY;

4. LABOR DAY;

5. VETERANS DAY; OR

6. CHRISTMAS; OR

(IV) FROM 10 A.M. TO 2 A.M. THE FOLLOWING DAY, ON A SUNDAY THAT IS NOT REFERENCED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH; and

(2) for off-premises consumption, from 6 a.m. to 1 a.m. the following day.

25-1202.

(a) There is a catering extension.

(b) The Board may grant a catering extension to the holder of:

(1) a Class B restaurant or hotel (on-sale) beer, wine, and liquor license;

AND

(2) A CLASS BD-BWL LICENSE.

(c) The catering extension authorizes a holder to:

(1) provide alcoholic beverages at an event that is held off the premises for which the holder's Class B restaurant or hotel (on-sale) beer, wine, and liquor license is issued; and

(2) exercise the privileges of the catering extension only during the hours and on the days authorized for a Class B restaurant or hotel (on-sale) beer, wine, and liquor license.

(d) The holder of a catering extension shall provide food for consumption at the catered event.

(e) This section does not require a holder of a Class B restaurant or hotel (on-sale) beer, wine, and liquor license to obtain a catering extension for catering on the premises for which the Class B license is issued.

25-1614.

Except as provided in § 25-1615 of this subtitle, the Board may not authorize the same license holder to hold more than 10 licenses, **INCLUDING NO MORE THAN ONE CLASS BD-BWL LICENSE.**

25-1615.

(a) The Board may issue additional Class B beer, wine, and liquor (on-sale) licenses to a license holder for premises operated as a hotel.

(b) (1) An applicant for an additional Class B beer, wine, and liquor (on-sale) license under this section shall:

(i) have a minimum restaurant seating capacity of 100 individuals;
and

(ii) except as provided in paragraph (2) of this subsection, meet the hotel requirements set forth in § 25-904 of this title.

(2) If the capital investment in the hotel exceeds \$3,000,000, the building height and elevator requirements required by § 25-904(b)(1) of this title do not apply.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2016.

Approved by the Governor, May 19, 2016.