

SENATE BILL 618

A2

2lr1825
CF 2lr3122

By: **Senator McCray**

Introduced and read first time: February 2, 2022

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Alcoholic Beverages – Sales in Grocery Stores and**
3 **Supermarkets – Referendum**

4 FOR the purpose of authorizing the Board of License Commissioners for Baltimore City to
5 issue a Class A beer and light wine license to a grocery store, chain store,
6 supermarket, or discount house; submitting this Act to a referendum of the qualified
7 voters of Baltimore City; and generally relating to alcoholic beverages in Baltimore
8 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 2021 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Alcoholic Beverages
16 Section 12–801, 12–1501, and 12–2003(a)
17 Annotated Code of Maryland
18 (2016 Volume and 2021 Supplement)

19 BY adding to
20 Article – Alcoholic Beverages
21 Section 12–1510
22 Annotated Code of Maryland
23 (2016 Volume and 2021 Supplement)

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

26 **Article – Alcoholic Beverages**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 12-102.

2 This title applies only in Baltimore City.

3 12-801.

4 (a) There is a Class A beer and light wine license.

5 (b) **THE LICENSE MAY BE ISSUED TO A GROCERY STORE, CHAIN STORE,**
6 **SUPERMARKET, OR DISCOUNT HOUSE.**

7 (c) (1) The license authorizes the license holder to sell beer and light wine, at
8 retail, at the place described in the license.

9 (2) The license holder shall sell the beer and light wine in a sealed package
10 or container.

11 (3) The package or container may not be opened and its contents may not
12 be consumed on the premises where the beer or light wine is sold.

13 [(c)] (D) The annual license fee is \$110.

14 12-1501.

15 (a) The following sections of Title 4, Subtitle 2 (“Issuance or Denial of Local
16 Licenses”) of Division I of this article apply in the City without exception or variation:

17 (1) [§ 4-205 (“Chain store, supermarket, or discount house”);

18 (2)] § 4-206 (“Limitations on retail sales floor space”);

19 [(3)] (2) § 4-207 (“Licenses issued to minors”);

20 [(4)] (3) § 4-209 (“Hearing”);

21 [(5)] (4) § 4-210 (“Approval or denial of license application”);

22 [(6)] (5) § 4-211 (“License forms; effective date; expiration”);

23 [(7)] (6) § 4-212 (“License not property”); and

24 [(8)] (7) § 4-213 (“Replacement licenses”).

1 (b) THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 2 (“ISSUANCE OR
2 DENIAL OF LOCAL LICENSES”) OF DIVISION I OF THIS ARTICLE DO NOT APPLY IN
3 THE CITY:

4 (1) § 4–205 (“CHAIN STORE, SUPERMARKET, OR DISCOUNT HOUSE”)
5 AND IS SUPERSEDED BY § 12–1510 OF THIS SUBTITLE; AND

6 (2) [Section] § 4–214 (“Waiting periods after denial of license applications”)
7 [of Division I of this article does not apply in the City] and is superseded by § 12–1507 of
8 this subtitle.

9 (c) The following sections of Title 4, Subtitle 2 (“Issuance or Denial of Local
10 Licenses”) of Division I of this article apply in the City:

11 (1) § 4–202 (“Authority of local licensing boards”), subject to §§ 12–1502
12 and 12–1503 of this subtitle;

13 (2) § 4–203 (“Prohibition against issuing multiple licenses to individual or
14 for use of entity”), subject to §§ 12–1504 and 12–1505 of this subtitle and Subtitle 13, Part
15 III and Subtitle 16, Part II of this title;

16 (3) § 4–204 (“Prohibition against issuing multiple licenses for same
17 premises”), subject to § 12–1505 of this subtitle and Subtitle 13, Part III of this title; and

18 (4) § 4–208 (“Notice of license application required”), subject to § 12–1506
19 of this subtitle.

20 **12–1510.**

21 AS PROVIDED IN § 12–801 OF THIS TITLE, THE BOARD MAY ISSUE A CLASS A
22 BEER AND LIGHT WINE LICENSE TO A GROCERY STORE, CHAIN STORE,
23 SUPERMARKET, OR DISCOUNT HOUSE.

24 12–2003.

25 (a) (1) (I) Except as provided in PARAGRAPH (2) OF THIS SUBSECTION
26 AND § 12–2005 of this subtitle, a holder of a Class A beer and light wine license may sell
27 beer and light wine:

28 [(i)] 1. on Monday through Saturday:

29 [1.] A. from 9 a.m. to 10 p.m. in the area specified in the
30 Park Heights Master Plan adopted by the City in 2006; and

31 [2.] B. from 6 a.m. to midnight in all other locations in the
32 City; and

1 [(ii)] 2. On the Sundays that fall between Thanksgiving Day and
2 New Year's Day, from 1 p.m. to 9 p.m., if, on or before September 30 of that year, the license
3 holder has paid a supplementary license fee of \$75 for each Sunday the privilege is to be
4 exercised.

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

9 (2) (I) A HOLDER OF A CLASS A BEER AND LIGHT WINE LICENSE
10 ISSUED TO A GROCERY STORE, CHAIN STORE, SUPERMARKET, OR DISCOUNT HOUSE
11 MAY SELL BEER AND LIGHT WINE ON MONDAY THROUGH SUNDAY FROM 10 A.M. TO
12 MIDNIGHT.

13 (II) IF THE LICENSE HOLDER IS OPEN ANYTIME OUTSIDE THE
14 HOURS OF SALE AUTHORIZED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE
15 LICENSE HOLDER SHALL KEEP ALL ALCOHOLIC BEVERAGES ON THE PREMISES THAT
16 ARE STORED IN AREAS OPEN TO THE PUBLIC IN A SEPARATE BEVERAGE
17 DEPARTMENT THAT IS SECURELY CLOSED AND LOCKED FROM MIDNIGHT TO 10 A.M.

18 SECTION 2. AND BE IT FURTHER ENACTED, That before this Act becomes
19 effective, it first shall be submitted to a referendum of the qualified voters of Baltimore City
20 at the general election to be held in November 2022. The Mayor, City Council, and
21 Baltimore City Board of Elections shall do those things necessary and proper to provide for
22 and hold the referendum required by this section. If a majority of the votes cast on the
23 question are "For the referred law" this Act shall become effective on the 30th day following
24 the official canvass of votes for the referendum, but if a majority of the votes cast on the
25 question are "Against the referred law" this Act, with no further action required by the
26 General Assembly, shall be null and void.

27 SECTION 3. AND BE IT FURTHER ENACTED, That, subject to the provisions of
28 Section 2 of this Act and for the sole purpose of providing for the referendum required by
29 Section 2 of this Act, this Act shall take effect July 1, 2022.