

SENATE BILL 809

A2

EMERGENCY BILL

8lr0542
CF HB 22

By: **Senators Oaks and Robinson**

Introduced and read first time: February 5, 2018

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 15, 2018

CHAPTER _____

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 altering the closing hour of sale for a certain license holder in a certain area of
7 Baltimore City; repealing certain references to the “Park Heights Redevelopment
8 Area”; making this Act an emergency measure; providing for the effective date of
9 certain provisions of this Act; and generally relating to alcoholic beverages in
10 Baltimore City.

11 BY repealing and reenacting, without amendments,
12 Article – Alcoholic Beverages
13 Section 12–102
14 Annotated Code of Maryland
15 (2016 Volume and 2017 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Alcoholic Beverages
18 Section 12–2003, 12–2004, and 12–2005(c)
19 Annotated Code of Maryland
20 (2016 Volume and 2017 Supplement)

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

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.



Article – Alcoholic Beverages

12–102.

This title applies only in Baltimore City.

12–2005.

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

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

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

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

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

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

[(1) (I)] may not begin before 9 a.m. or end after ~~9~~ **10** p.m.; and

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

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

Article – Alcoholic Beverages

12–2003.

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

(i) on Monday through Saturday:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

33 12-2004.

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

3 (i) on Monday through Saturday:

4 1. from 9 a.m. to midnight 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 2. from 6 a.m. to midnight in all other locations in the City;
8 and

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

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

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

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

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

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

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

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

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

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

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

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 of this
10 title, the license holder may sell beer, wine, and liquor at a bar or counter on Sunday.

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

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

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

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

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

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

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

28 (iii) A holder of a supplemental license shall notify the Board at least
29 2 weeks in advance of exercising the privileges under the supplemental license.

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.