

# SENATE BILL 840

A2

2lr1287  
CF 2lr2915

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By: **Senator Rosapepe**

Introduced and read first time: February 3, 2012

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 13, 2012

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Alcoholic Beverages – City of Laurel – Sales by License Holders**

3 FOR the purpose of requiring the City Council of the City of Laurel to make a certain  
4 determination regarding the granting of a license to sell alcoholic beverages in a  
5 certain building located within ~~500 feet~~ a certain distance of a church ~~under~~  
6 ~~certain circumstances~~; and generally relating to the sale of alcoholic beverages  
7 in the City of Laurel.

8 BY repealing and reenacting, without amendments,  
9 Article 2B – Alcoholic Beverages  
10 Section 9–217(a)  
11 Annotated Code of Maryland  
12 (2011 Replacement Volume)

13 BY repealing and reenacting, with amendments,  
14 Article 2B – Alcoholic Beverages  
15 Section 9–217(e)  
16 Annotated Code of Maryland  
17 (2011 Replacement Volume)

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

20 **Article 2B – Alcoholic Beverages**

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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 9-217.

2 (a) This section applies only in Prince George's County.

3 (e) (1) A license may not be granted to sell alcoholic beverages in any  
 4 building located within 1,000 feet of a school building, or within 500 feet of a church.  
 5 The 1,000 feet, or the 500 feet, as the case may be, is to be measured from the front  
 6 door or main entrance, whichever is nearest the street abutting the premises, of the  
 7 proposed licensed establishment along the nearest usual pedestrian route to the door  
 8 closest to the licensed premises which is used as an entrance or exit to any school, or  
 9 to the main entrance of the church building.

10 (2) **[This] EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (7)**  
 11 **OF THIS SUBSECTION, THIS** restriction does not apply in the case of a church if the  
 12 governing body of the church concerned consents in writing to the granting of the  
 13 license. The consent shall be filed with the application. The license of any person or  
 14 persons or for the use of a corporation or unincorporated association issued for any  
 15 building located within the requisite distance from a church or school building may be  
 16 renewed or extended for the same building.

17 (3) This restriction does not apply to any transfer or assignment of a  
 18 license located within the distance of 1,000 feet to another place of business within the  
 19 specified distance and/or to an assignee of the license within the distance of the same  
 20 church or school building.

21 (4) This does not apply to the issuance of a license for a place of  
 22 business, not having an alcoholic beverage license, to which an alcoholic beverage  
 23 license had been issued and was in force and effect on June 1, 1965, as to a license of  
 24 the same class which was in force and effect as of that date, applied for in the place of  
 25 business nor to a renewal of a license of any establishment where, subsequent to the  
 26 original granting of the license a school or church building was erected within 1,000  
 27 feet.

28 (5) This subsection does not apply to any license issued under §  
 29 6-201(r)(2), (4), (5), (15), (16), or (18) or § 7-101 of this article.

30 (6) This restriction does not apply in the case of a private kindergarten  
 31 or nursery school.

32 (7) (I) **THIS PARAGRAPH APPLIES ONLY IN THE CITY OF**  
 33 **LAUREL.**

34 (II) ~~IF THE GOVERNING BODY OF A CHURCH DOES NOT~~  
 35 ~~CONSENT IN WRITING TO THE GRANTING OF A LICENSE AS PROVIDED IN~~  
 36 ~~PARAGRAPH (2) OF THIS SUBSECTION, THE~~ **THE CITY COUNCIL OF THE CITY OF**  
 37 **LAUREL SHALL DETERMINE IF A LICENSE MAY BE GRANTED TO SELL**

1 ALCOHOLIC BEVERAGES IN A BUILDING LOCATED WITHIN 500 FEET OF THE  
2 CHURCH.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 October 1, 2012.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.