

HOUSE BILL 1029

A2

6lr0773

By: **Montgomery County Delegation**

Introduced and read first time: February 11, 2016

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 9, 2016

CHAPTER _____

1 AN ACT concerning

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

4 **MC 17–16**

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

11 BY repealing and reenacting, without amendments,

12 Article – Alcoholic Beverages

13 Section 25–903(a) and (b) and 25–1615

14 Annotated Code of Maryland

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

17 BY repealing and reenacting, with amendments,

18 Article – Alcoholic Beverages

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

20 Annotated Code of Maryland

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

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

3 **Article – Alcoholic Beverages**

4 25–903.

5 (a) There is a Class BD–BWL license.

6 (b) The license authorizes the license holder to sell:

7 (1) beer and wine for on– or off–premises consumption; and

8 (2) liquor for on–premises consumption.

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

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

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

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

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

19 1. WASHINGTON’S BIRTHDAY;

20 2. MEMORIAL DAY;

21 3. INDEPENDENCE DAY;

22 4. LABOR DAY;

23 5. VETERANS DAY; OR

24 6. CHRISTMAS; OR

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

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

2 25-1202.

3 (a) There is a catering extension.

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

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

6 AND

7 (2) A CLASS BD-BWL LICENSE.

8 (c) The catering extension authorizes a holder to:

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

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

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

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

20 25-1614.

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

24 25-1615.

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

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

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

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

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

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
8 1, 2016.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.