

SENATE BILL 809

A2

EMERGENCY BILL
ENROLLED BILL

(8lr0542)

— *Education, Health, and Environmental Affairs/Economic Matters* —

Introduced by ~~Senators Oaks and Robinson~~ **Robinson and Oaks**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

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”; altering the time during which establishments for which certain alcoholic
9 beverages licenses are issued in a certain area specified in the Park Heights Master
10 Plan may sell alcoholic beverages; making a conforming change; making this Act an
11 emergency measure; providing for the effective date of certain provisions of this Act;
12 and generally relating to alcoholic beverages in Baltimore City.

13 BY repealing and reenacting, without amendments,
14 Article – Alcoholic Beverages

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.

Italics indicate opposite chamber/conference committee amendments.



1 Section 12–102
 2 Annotated Code of Maryland
 3 (2016 Volume and 2017 Supplement)

4 BY repealing and reenacting, with amendments,
 5 Article – Alcoholic Beverages
 6 Section 12–2003, 12–2004, and 12–2005(c)
 7 Annotated Code of Maryland
 8 (2016 Volume and 2017 Supplement)

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

11 **Article – Alcoholic Beverages**

12 12–102.

13 This title applies only in Baltimore City.

14 12–2005.

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

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

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

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

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

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

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

23 [(2)] **(II)** may not be extended if they begin later than 9 a.m. or end before
 24 ~~9 p.m.~~ **10 P.M.**

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

27 **Article – Alcoholic Beverages**

28 12–2003.

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

3 (i) on Monday through Saturday:

4 1. from 9 a.m. to ~~midnight~~ ***10 P.M.*** 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 and light wine for off–premises consumption on
15 two additional Sundays during the calendar year if the holder pays a license fee of \$75 at
16 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 and light wine license may sell beer and light wine:

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

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

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

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

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

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

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

8 (2) from 6 a.m. to 1 a.m. the following day in all other locations in the City.
9 12–2004.

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

12 (i) on Monday through Saturday:

13 1. from 9 a.m. to ~~midnight~~ ***10 P.M.*** in the [Park Heights
14 Redevelopment Area that is] **AREA** specified in the Park Heights Master Plan adopted by
15 the City in 2006; and

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

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

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

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

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

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

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

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

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

8 (1) from 9 a.m. to ~~2 a.m. the following day~~ **10 P.M.** in the [Park Heights
9 Redevelopment Area that is] **AREA** specified in the Park Heights Master Plan adopted by
10 the City in 2006; and

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

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

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

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

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

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

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

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

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

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

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

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

6 (iii) A holder of a supplemental license shall notify the Board at least
7 2 weeks in advance of exercising the privileges under the supplemental license.

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.