

HOUSE BILL 291

A2

0lr0937

By: **Prince George's County Delegation**

Introduced and read first time: January 20, 2020

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Alcoholic Beverages – Licenses for Supermarkets**

3 **PG 308–20**

4 FOR the purpose of authorizing the Board of License Commissioners for Prince George's
5 County to issue a Class A beer and light wine license for use in a supermarket under
6 certain circumstances; and generally relating to alcoholic beverages in Prince
7 George's County.

8 BY repealing and reenacting, without amendments,
9 Article – Alcoholic Beverages
10 Section 26–102 and 26–1501
11 Annotated Code of Maryland
12 (2016 Volume and 2019 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Alcoholic Beverages
15 Section 26–1509
16 Annotated Code of Maryland
17 (2016 Volume and 2019 Supplement)

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

20 **Article – Alcoholic Beverages**

21 26–102.

22 This title applies only in Prince George's County.

23 26–1501.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) Section 4–207 (“Licenses issued to minors”) of Division I of this article applies
2 in the county without exception or variation.

3 (b) The following sections of Title 4, Subtitle 2 (“Issuance or Denial of License
4 Applications”) do not apply in the county:

5 (1) § 4–206 (“Limitations on retail floor space”) and is superseded by §
6 26–1504 of this subtitle;

7 (2) § 4–210 (“Approval or denial of license application”) and is superseded
8 by § 26–1513 of this subtitle; and

9 (3) § 4–214 (“Waiting periods after denial of license applications”) and is
10 superseded by § 26–1516 of this subtitle.

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

13 (1) § 4–202 (“Authority of local licensing boards”), in addition to §§ 26–1502
14 and 26–1503 of this subtitle;

15 (2) § 4–203 (“Prohibition against issuing multiple licenses to individual or
16 for use of entity”), subject to § 26–1505 of this subtitle and Subtitle 13, Part III and Subtitle
17 16, Part II of this title;

18 (3) § 4–204 (“Prohibition against issuing multiple licenses for same
19 premises”), subject to § 26–1505 of this subtitle and Subtitle 13, Part III of this title;

20 (4) § 4–205 (“Chain store, supermarket, or discount house”), subject to §
21 26–1509 of this subtitle;

22 (5) § 4–208 (“Notice of license application required”), subject to § 26–1512
23 of this subtitle;

24 (6) § 4–209 (“Hearing”), in addition to § 26–1511 of this subtitle;

25 (7) § 4–211 (“License forms; effective date; expiration”), in addition to §
26 26–1508 of this subtitle;

27 (8) § 4–212 (“License not property”), subject to § 26–1506 of this subtitle;
28 and

29 (9) § 4–213 (“Replacement licenses”), subject to § 26–1517 of this subtitle.

30 26–1509.

1 (a) Except as provided in [subsection (b)] **SUBSECTIONS (B) AND (C)** of this
2 section, the Board may not issue a license that has an off-sale privilege to:

3 (1) an establishment commonly known as a chain store, supermarket, or
4 discount house; or

5 (2) a franchisor, franchisee, or concessionaire of the establishment.

6 (b) An establishment described in subsection (a) of this section that held a license
7 on July 1, 1973:

8 (1) may continue to hold the license; and

9 (2) at the discretion of the Board, may change the class of the license.

10 **(C) THE BOARD MAY ISSUE A CLASS A BEER AND LIGHT WINE LICENSE FOR**
11 **USE IN A SUPERMARKET THAT HAS A MINIMUM INVESTMENT OF AT LEAST \$500,000**
12 **IN THE SUPERMARKET FACILITIES, NOT INCLUDING THE COST OF LAND OR**
13 **BUILDINGS.**

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
15 1, 2020.