

HOUSE BILL 617

A2
HB 291/20 – ECM

11r0418

By: **Prince George's County Delegation**
Introduced and read first time: January 22, 2021
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

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

3 **PG 306–21**

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; limiting the number of certain licenses that the Board can
7 issue for use in any single legislative district; and generally relating to alcoholic
8 beverages in Prince George's County.

9 BY repealing and reenacting, without amendments,
10 Article – Alcoholic Beverages
11 Section 26–102 and 26–1501
12 Annotated Code of Maryland
13 (2016 Volume and 2020 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Alcoholic Beverages
16 Section 26–1509
17 Annotated Code of Maryland
18 (2016 Volume and 2020 Supplement)

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

21 **Article – Alcoholic Beverages**

22 26–102.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 26–1501.

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

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

6 (1) § 4–206 (“Limitations on retail floor space”) and is superseded by §
7 26–1504 of this subtitle;

8 (2) § 4–210 (“Approval or denial of license application”) and is superseded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

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11 superseded by § 26–1516 of this subtitle.

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

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

16 (2) § 4–203 (“Prohibition against issuing multiple licenses to individual or
17 for use of entity”), subject to § 26–1505 of this subtitle and Subtitle 13, Part III and Subtitle
18 16, Part II of this title;

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

21 (4) § 4–205 (“Chain store, supermarket, or discount house”), subject to §
22 26–1509 of this subtitle;

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

25 (6) § 4–209 (“Hearing”), in addition to § 26–1511 of this subtitle;

26 (7) § 4–211 (“License forms; effective date; expiration”), in addition to §
27 26–1508 of this subtitle;

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

30 (9) § 4–213 (“Replacement licenses”), subject to § 26–1517 of this subtitle.

31 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) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE BOARD**
11 **MAY ISSUE A CLASS A BEER AND LIGHT WINE LICENSE FOR USE IN A SUPERMARKET**
12 **THAT HAS BEEN CERTIFIED BY THE PRINCE GEORGE'S COUNTY COUNCIL AS BEING**
13 **LOCATED WITHIN A FOOD DESERT OR FOOD SWAMP.**

14 **(2) THE BOARD MAY NOT ISSUE MORE THAN THREE CLASS A BEER**
15 **AND LIGHT WINE LICENSES UNDER THIS SUBSECTION FOR USE IN ANY SINGLE**
16 **LEGISLATIVE DISTRICT.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
18 1, 2021.