

# HOUSE BILL 241

A2

2lr0621

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By: **Montgomery County Delegation**

Introduced and read first time: January 13, 2022

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Damascus – Alcoholic Beverages – Class B Beer, Wine,**  
3 **and Liquor License Referendum**

4 **MC 12–22**

5 FOR the purpose of authorizing the Board of License Commissioners for Montgomery  
6 County to issue a Class B beer, wine, and liquor license in Damascus (12th election  
7 district); submitting this Act to a referendum of the qualified voters of the 12th  
8 election district in Montgomery County; and generally relating to alcoholic beverages  
9 licensing in Montgomery County.

10 BY repealing and reenacting, without amendments,  
11 Article – Alcoholic Beverages  
12 Section 25–102  
13 Annotated Code of Maryland  
14 (2016 Volume and 2021 Supplement)

15 BY repealing and reenacting, with amendments,  
16 Article – Alcoholic Beverages  
17 Section 25–1603  
18 Annotated Code of Maryland  
19 (2016 Volume and 2021 Supplement)

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

22 **Article – Alcoholic Beverages**

23 25–102.

24 This title applies only in Montgomery County.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 25-1603.

2 (a) This section applies only to Damascus (12th election district).

3 (b) **THE BOARD MAY ISSUE A CLASS B BEER, WINE, AND LIQUOR LICENSE.**

4 (c) The Board may issue a 7-day Class C (on-sale) beer, wine, and liquor license  
5 to a volunteer fire department.

6 [(c)] (D) (1) Subject to paragraph (2) of this subsection:

7 (i) the Board may issue Class H beer and wine, hotel and restaurant  
8 licenses; and

9 (ii) the licenses may be renewed or transferred.

10 (2) A license may be issued, transferred, or renewed if:

11 (i) pool tables, billiard tables, shuffleboards, dart boards, video  
12 games, pinball machines, or recreational devices are not used in the licensed premises; and

13 (ii) except for beer in containers sold for off-premises consumption  
14 as authorized under subsection [(d)] (E) of this section, alcoholic beverages served by the  
15 license holder are consumed by customers while the customers are seated.

16 [(d)] (E) The Board may issue to the holder of a Class H beer and wine license:

17 (1) a refillable container permit for draft beer under § 25-1103 of this title;  
18 or

19 (2) a nonrefillable container permit for draft beer under § 25-1104.1 of this  
20 title.

21 SECTION 2. AND BE IT FURTHER ENACTED, That before this Act becomes  
22 effective it first shall be submitted to a referendum of the qualified voters of Damascus  
23 (12th election district) in Montgomery County at the general election to be held in  
24 November 2022. The County governing body and the Montgomery County Board of  
25 Elections shall do those things necessary and proper to provide for and hold the referendum  
26 required by this section. If a majority of the votes cast on the question are “For the referred  
27 law” this Act shall become effective on the 30th day following the official canvass of votes  
28 for the referendum, but if a majority of the votes cast on the question are “Against the  
29 referred law” this Act, with no further action required by the General Assembly, shall be  
30 null and void.

1           SECTION 3. AND BE IT FURTHER ENACTED, That, subject to the provisions of  
2 Section 2 of this Act and for the sole purpose of providing for the referendum required by  
3 Section 2 of the Act, this Act shall take effect July 1, 2022.