

Chapter 751

(House Bill 357)

AN ACT concerning

Prince George's County – Alcoholic Beverages – Sunday Off-Sale Permits

PG 301-22

FOR the purpose of repealing a provision of law limiting the issuance by the Board of License Commissioners for Prince George's County of certain Sunday off-sale permits to holders of a certain license acquired on or after a certain date; repealing the limit on the number of Sunday off-sale permits that may be in effect at any one time; and generally relating to Sunday off-sale alcoholic beverages permits in Prince George's County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 26-102
Annotated Code of Maryland
(2016 Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 26-1104
Annotated Code of Maryland
(2016 Volume and 2021 Supplement)

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

Article – Alcoholic Beverages

26-102.

This title applies only in Prince George's County.

26-1104.

(a) There is a Sunday off-sale permit.

(b) (1) [(i) Subject to subsection (f) of this section and subparagraphs (ii) and (iii) of this paragraph and except] **EXCEPT** as provided in paragraph (2) of this subsection, the Board may issue the permit to the holder of:

[1.] (I) any Class A license; or

[2.] (II) any Class B license with an off-sale privilege.

[(ii) Five Sunday off-sale permits may be issued only to holders of a Class B beer, wine, and liquor license with an off-sale privilege that acquired the license on or after January 1, 2016.

(iii) Sunday off-sale permits may be issued to holders of a Class A beer, wine, and liquor license that acquired the license on or after January 1, 2016.]

(2) The Board may not issue a Sunday off-sale permit to a license holder that the Board finds to have sold liquor on Sunday without a Sunday off-sale permit.

(c) The permit authorizes the holder to sell alcoholic beverages for off-premises consumption on Sunday from 8 a.m. to midnight.

(d) (1) Except as provided in paragraph (2) of this subsection, an applicant for the permit shall commit in the application to spending a minimum of \$50,000 to rehabilitate and renovate the interior or exterior of the licensed premises within 1 year after the permit is issued.

(2) The Board shall waive the spending requirement for a holder of a Class B beer, wine, and liquor license with an off-sale privilege that acquired the license on or after January 1, 2016, if the holder can show through receipts that a minimum of \$50,000 was spent to rehabilitate and renovate the interior or exterior of the licensed premises within the 3-year period immediately preceding the submission of the application.

(3) The Board shall revoke the permit and impose a fine on the permit holder not exceeding \$5,000 if:

(i) the Board did not waive the spending requirement under paragraph (2) of this subsection; and

(ii) the permit holder fails to spend the money as required, evidenced by receipts for work done and inspections of the licensed premises.

(e) If the permit is issued to the holder of a Class B license with an off-sale privilege, the holder need not comply with any restaurant or food requirement.

(f) [Not more than 105 Sunday off-sale permits may be in effect at any one time.

(g)] The Board shall adopt regulations to implement the spending requirements under subsection (d) of this section.

[(h)] (G) (1) The application fee for the permit is \$750.

(2) The annual fees for the permit are:

(i) \$2,590 for the holder of a Class A license; and

(ii) \$1,080 for the holder of a Class B license with an off-sale privilege.

(3) The fees listed in paragraphs (1) and (2) of this subsection are in addition to the annual fee for the Class A license or Class B license to which it is attached.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~July~~
June 1, 2022.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 29, 2022.