

# SENATE BILL 245

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CF 3lr1403

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By: **Senators Carozza and Mautz**

Introduced and read first time: January 25, 2023

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Wicomico County – Class A Beer, Wine, and Liquor Licenses – Issuance**

3 FOR the purpose of repealing a certain limit on the number of Class A beer, wine, and  
4 liquor licenses that the Board of License Commissioners for Wicomico County may  
5 issue; authorizing the Board to issue the number of Class A beer, wine, and liquor  
6 licenses that in its discretion are necessary to properly serve the interests of the  
7 county; and generally relating to Class A beer, wine, and liquor licenses in Wicomico  
8 County.

9 BY repealing and reenacting, without amendments,  
10 Article – Alcoholic Beverages  
11 Section 32–102  
12 Annotated Code of Maryland  
13 (2016 Volume and 2022 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article – Alcoholic Beverages  
16 Section 32–901  
17 Annotated Code of Maryland  
18 (2016 Volume and 2022 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 32–102.

23 This title applies only in Wicomico County.

24 32–901.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (a) There is a Class A beer, wine, and liquor license.
- 2 (b) (1) A license may be issued only to an establishment that has been:
- 3 (i) issued a Class B license; and
- 4 (ii) continually operating as a restaurant in the county since at least
- 5 3 months before the application for the license.
- 6 (2) The Board may not issue a license to an establishment that is a
- 7 corporation or limited liability company unless the license applicant owns 75% of the total
- 8 issued capital stock of the corporation or the limited liability company.
- 9 (3) The Board may issue [not more than three licenses in] **THE NUMBER**
- 10 **OF LICENSES THAT IN ITS DISCRETION ARE NECESSARY TO PROPERLY SERVE THE**
- 11 **INTERESTS OF** the county.
- 12 (c) (1) Subject to paragraph (2) of this subsection, the license authorizes the
- 13 license holder to sell beer, wine, and liquor, at retail at the place described in the
- 14 application, for off-premises consumption.
- 15 (2) The place described in the application:
- 16 (i) may not exceed 20% of the area normally used in the operation
- 17 of the restaurant business; and
- 18 (ii) shall be contiguous to and adjoin the restaurant establishment.
- 19 (d) The license may not be issued for a drugstore unless the applicant:
- 20 (1) has been doing business at the location applied for in the license for at
- 21 least 1 year before the date of the application for the license;
- 22 (2) is the assignee of a business established for at least 1 year before the
- 23 date of the application for the license at the location applied for; or
- 24 (3) has been engaged in the retail drug business for at least 3 years.
- 25 (e) (1) The license holder shall purchase liquor for retail sale from a county
- 26 dispensary.
- 27 (2) The license holder shall be charged not more than 15% above the
- 28 wholesale operating cost to the dispensary.
- 29 (f) The annual license fee is \$4,400 and is in addition to the fee paid for the Class
- 30 B license.

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
2 1, 2023.