

Chapter 1023

(Senate Bill 66)

AN ACT concerning

Prince George's County – Alcoholic Beverages – Issuance of License Near a Place of Worship or School

FOR the purpose of authorizing the Board of License Commissioners for Prince George's County to issue an alcoholic beverages license for an establishment that is within certain distances of a place of worship or school building if a license of the same class had been issued and was held by the same person seeking the new license and was in effect for the establishment before the place of worship or school building was built; and generally relating to alcoholic beverages licenses in Prince George's County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages and Cannabis
Section 26–102
Annotated Code of Maryland
(2016 Volume and 2023 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages and Cannabis
Section 26–1604
Annotated Code of Maryland
(2016 Volume and 2023 Supplement)

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

Article – Alcoholic Beverages and Cannabis

26–102.

This title applies only in Prince George's County.

26–1604.

(a) This section does not apply to:

(1) a holder of a Class B (RT) beer, wine, and liquor license, a Class BH (hotel) license, a Class BLX license, a Class BCE license, a Class B–DD (development district) license, a Class B–TP (theme park) license, a Class B–AE (arts and entertainment) license, or a per diem license;

(2) an establishment that is within:

(i) the 500-foot restricted distance of a place of worship, if the governing body of the place of worship consents in writing to the issuance of the license and the consent is filed with the license application; or

(ii) the 1,000-foot restricted distance of a private kindergarten or nursery school;

(3) a renewal or extension of a license issued for an establishment that is within the 500-foot restricted distance of a place of worship or the 1,000-foot restricted distance of a school building;

(4) (i) a transfer of a license within 1,000 feet of a place of worship or a school building to another establishment within the same restricted distance; or

(ii) an assignee of a license within the same distance of the same place of worship or school building;

(5) the issuance of a license for an establishment to which a license of the same class had been issued and was in effect on June 1, 1965; [and]

(6) the renewal of a license if a place of worship or school was built within 1,000 feet of the establishment after the original issuance of the license; AND

(7) THE ISSUANCE OF A LICENSE FOR AN ESTABLISHMENT THAT IS WITHIN 500 FEET OF A PLACE OF WORSHIP OR WITHIN 1,000 FEET OF A SCHOOL BUILDING IF A LICENSE OF THE SAME CLASS HAD BEEN ISSUED AND WAS:

(I) HELD BY THE SAME PERSON SEEKING THE NEW LICENSE;
AND

(II) IN EFFECT FOR THE ESTABLISHMENT BEFORE THE PLACE OF WORSHIP OR SCHOOL BUILDING WAS BUILT.

(b) (1) Except as provided in subsections (c) and (d) of this section, the Board may not issue a license for an establishment that is within 500 feet of a place of worship or within 1,000 feet of a school building.

(2) The distance from an establishment to a place of worship or school is to be measured from the front door or main entrance of the establishment, whichever is nearest the street abutting the site, along the nearest usual pedestrian route to:

(i) the closest door that is used as an entrance or exit to the school;
or

(ii) the main entrance of the place of worship.

(c) The restriction on the distance between the location of a school and a licensed premises does not apply to a Class B–ECF/DS license.

(d) (1) In the part of the Gateway Arts and Entertainment District located in Hyattsville, as designated by the Secretary of Commerce, the front door or main entrance of an establishment for which a Class D beer and wine license is issued may be used if the door or entrance is at least 350 feet from a place of worship.

(2) In College Park, the Board may issue a license for an establishment that is more than 400 feet from a school building if the land on which the establishment is located is in a commercial district.

(3) In Laurel, the Board may issue a license for an establishment regardless of its distance from a place of worship.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2024.

Approved by the Governor, May 16, 2024.