

HOUSE BILL 1379

A1
HB 847/24 – ECM

5lr1571
CF 5lr2266

By: **Delegate Amprey**
Introduced and read first time: February 7, 2025
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Alcoholic Beverages – Class A License – Retail Establishments**
3 **(Alcoholic Beverages Modernization Act of 2025)**

4 FOR the purpose of authorizing certain establishments that operate as a food retailer,
5 pharmacy, or retail service station to offer to purchase a Class A license from a Class
6 A license holder under certain circumstances; authorizing the retail establishments
7 to apply to a local licensing board for a Class A license under certain circumstances;
8 and generally relating to Class A alcoholic beverages licenses for retail
9 establishments that operate as a food retailer, pharmacy, or retail service station.

10 BY repealing and reenacting, with amendments,
11 Article – Alcoholic Beverages and Cannabis
12 Section 4–205 and 4–303
13 Annotated Code of Maryland
14 (2024 Replacement Volume)

15 BY adding to
16 Article – Alcoholic Beverages and Cannabis
17 Section 4–205.1
18 Annotated Code of Maryland
19 (2024 Replacement Volume)

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 and Cannabis**

23 4–205.

24 (a) This section does not apply to:

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



(1) an establishment that already holds a Class A, Class B, or Class D beer license, beer and wine license, or beer, wine, and liquor license; or

(2) a license holder that sells alcoholic beverages at discount prices.

(b) [A] EXCEPT AS PROVIDED IN § 4-205.1 OF THIS SUBTITLE, A local licensing board may not issue a Class A, Class B, or Class D beer license, beer and wine license, or beer, wine, and liquor license for use in conjunction with or on the premises of:

(1) a chain store;

(2) a supermarket; or

(3) a discount house.

4-205.1.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “FOOD RETAILER” MEANS A RETAIL ESTABLISHMENT THAT:

(I) OFFERS FOR SALE FOOD PRODUCTS IN AT LEAST FIVE OF THE FOLLOWING CATEGORIES:

1. FRESH FRUITS AND VEGETABLES;

2. FRESH AND UNCOOKED MEAT, POULTRY, AND SEAFOOD;

3. DAIRY PRODUCTS;

4. CANNED FOODS;

5. FROZEN FOODS; AND

6. DRY GROCERIES AND BAKED GOODS;

(II) ACCEPTS SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM CREDITS AS PAYMENT FOR FOOD AND BEVERAGES; AND

(III) HAS A MINIMUM OF 4,000 SQUARE FEET.

(3) “RETAIL ESTABLISHMENT” MEANS AN ESTABLISHMENT THAT:

(I) 1. IS A FOOD RETAILER;

2. IS A PHARMACY OPERATED BY A PERSON THAT HOLDS
A PHARMACY PERMIT ISSUED BY THE STATE BOARD OF PHARMACY UNDER § 12-401
OF THE HEALTH OCCUPATIONS ARTICLE; OR

3. IS A RETAIL SERVICE STATION THAT SELLS GASOLINE
AND DIESEL FUEL OR HAS ON-SITE ELECTRIC CHARGING CAPABILITIES FOR A
MINIMUM OF SIX MOTOR VEHICLES SIMULTANEOUSLY; AND

(II) EXCEPT AS PROVIDED IN DIVISION II OF THIS ARTICLE, HAS
A PRIMARY ENTRANCEWAY THAT IS AT LEAST:

1. 300 FEET FROM THE NEAREST POINT OF A PLACE OF
WORSHIP OR SCHOOL; AND

2. 100 FEET FROM ANY RESIDENTIAL PROPERTY NOT
LOCATED IN THE SAME BUILDING OR STRUCTURE AS THE RETAIL ESTABLISHMENT.

(B) (1) A RETAIL ESTABLISHMENT LOCATED LESS THAN 3,000 FEET
FROM A CLASS A LICENSE HOLDER MAY OFFER TO PURCHASE THE CLASS A LICENSE
FROM THE LICENSE HOLDER.

(2) A RETAIL ESTABLISHMENT THAT OBTAINS A LICENSE IN
ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION SHALL CONVERT THE
LICENSE, IF NECESSARY, TO A CLASS A BEER, CLASS A BEER AND WINE, OR CLASS
A BEER AND LIGHT WINE LICENSE, REGARDLESS OF THE TYPE OF CLASS A LICENSE
THAT WAS PURCHASED.

(C) (1) IF A LICENSE HOLDER DOES NOT ACCEPT A RETAIL
ESTABLISHMENT'S OFFER, THE RETAIL ESTABLISHMENT MAY APPLY TO THE LOCAL
LICENSING BOARD FOR A CLASS A BEER OR CLASS A BEER AND WINE LICENSE IN
ACCORDANCE WITH THE LOCAL LICENSING BOARD'S RULES.

(2) DEPENDING ON THE TYPES OF LICENSES AVAILABLE IN THE
JURISDICTION, THE LOCAL LICENSING BOARD SHALL ISSUE TO THE RETAIL
ESTABLISHMENT:

(I) A CLASS A BEER LICENSE;

(II) A CLASS A BEER AND WINE LICENSE; OR

(III) A CLASS A BEER AND LIGHT WINE LICENSE.

(D) AN APPLICATION FOR A CLASS A BEER OR CLASS A BEER AND WINE LICENSE SUBMITTED BY A RETAIL ESTABLISHMENT:

**(1) IS PRESUMED TO BE IN THE BEST INTEREST OF THE COMMUNITY;
AND**

(2) MAY NOT BE DENIED FOR ANY REASON OTHER THAN A REASON TRADITIONALLY CONSIDERED BY A LOCAL LICENSING BOARD.

(E) A HOLDER OF A LICENSE ISSUED IN ACCORDANCE WITH THIS SECTION OR AN EMPLOYEE DESIGNATED BY THE HOLDER SHALL COMPLETE TRAINING IN AN APPROVED ALCOHOL AWARENESS PROGRAM IN ACCORDANCE WITH § 4-505 OF THIS TITLE.

(F) A HOLDER OF A LICENSE ISSUED IN ACCORDANCE WITH THIS SECTION:

(1) SHALL EMPLOY SWORN SECURITY PERSONNEL FOR THE PUBLIC AREA OF THE STORE DEDICATED TO THE SALE OF ALCOHOLIC BEVERAGES;

(2) MAY SELL ALCOHOLIC BEVERAGES BETWEEN THE HOURS OF 9 A.M. AND 8 P.M., MONDAY THROUGH SATURDAY; AND

(3) MAY NOT:

(I) SELL ALCOHOLIC BEVERAGES BY MEANS OF A SELF-SCANNING CASH REGISTER OR OTHER AUTOMATED SYSTEM THAT IS:

1. CAPABLE OF RECOVERING STORED INFORMATION RELATED TO THE SALE PRICE OF INDIVIDUAL RETAIL ITEMS; AND

2. OPERATED ON A SELF-SERVICE BASIS BY A CUSTOMER;

(II) DELIVER ALCOHOLIC BEVERAGES;

(III) SELL INDIVIDUAL CANS OR BOTTLES OF MIXED COCKTAILS OR MALT BEVERAGES THAT ARE 40 OUNCES OR LESS; OR

(IV) POST ANY SIGNS ON THE EXTERIOR OF THE ESTABLISHMENT OR IN THE AREA DEDICATED TO THE SALE OF BEER AND WINE THAT ADVERTISE ALCOHOLIC BEVERAGES.

1 4-303.

2 [A] EXCEPT AS PROVIDED IN § 4-205.1 OF THIS TITLE, A Class A, Class B, or
3 Class D beer license, beer and wine license, or beer, wine, and liquor license may not be
4 transferred for use in conjunction with or on the premises of a chain store, supermarket, or
5 discount house unless:

6 (1) the establishment already holds a Class A, Class B, or Class D beer
7 license, beer and wine license, or beer, wine, and liquor license; or

8 (2) the license is transferred to a similar type of establishment.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
10 1, 2025.