

SENATE BILL 66

A2

(PRE-FILED)

4lr0547
CF HB 817

By: **Senator Rosapepe**

Requested: August 29, 2023

Introduced and read first time: January 10, 2024

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 23, 2024

CHAPTER _____

1 AN ACT concerning

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

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

11 BY repealing and reenacting, without amendments,
12 Article – Alcoholic Beverages and Cannabis
13 Section 26–102
14 Annotated Code of Maryland
15 (2016 Volume and 2023 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Alcoholic Beverages and Cannabis
18 Section 26–1604
19 Annotated Code of Maryland
20 (2016 Volume and 2023 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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:

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

2 **AND**

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

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

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

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

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

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

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

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

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

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
26 1, 2024.