

## CHAPTER 36

(Senate Bill 52)

AN ACT to repeal and re-enact, with amendments, Section 19 (i) (4) of Article 2B of the Annotated Code of Maryland (1966 Supplement), title "Alcoholic Beverages," subtitle "Beer, Wine and Liquor Licenses, Class B," correcting an error in the laws relating to the sale of alcoholic beverages, under certain restrictions, on Sundays by holders of a beer, wine and liquor license, Class BH in Prince George's County and to authorize the issuance of special Sunday "On-Sale" Permits to holders of a beer, wine and liquor license, Class B in Prince George's County.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 19 (i) (4) of Article 2B of the Annotated Code of Maryland (1966 Supplement), title "Alcoholic Beverages," subtitle "Beer, Wine and Liquor Licenses, Class B," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

19.

(i)

(4) The board of license commissioners may issue to the holder of a beer, wine and liquor license, Class B, meeting the qualifications specified in subsection (1) of this section a special Sunday "on-sale" permit to allow the holder thereof to keep for sale and to sell at retail beer, wine and liquor on Sunday for consumption on the licensed premises between the hours of twelve o'clock noon and twelve o'clock midnight; providing the average daily receipts from the sale of food exceeds the average daily receipts from the sale of alcoholic beverages in the establishments where it is proposed to locate such a permit, and such ratio of food sales to the sale of alcoholic beverages has been maintained for at least six months prior to the application for such a permit. Applicants for a special Sunday "on-sale" permit shall furnish the board of license commissioners with such proof as it may deem necessary indicating the qualifications of the establishment to be issued such a permit.

Alcoholic beverages sold on Sunday under the provisions of this section shall be sold, served and consumed only in connection with meals in the dining area, or areas, or banquet facilities, if any, and shall not be served in the cocktail facilities, if any, or at the bar. The holder of a special Sunday "on-sale" permit shall be subject to all other provisions of this article pertaining to beer, wine and liquor licenses, Class B, in force and effect in Prince George's County, except that any restrictions on the sale of alcoholic beverages on Sunday appearing in Section 103 and elsewhere shall not apply. Holders of such a permit shall submit to the board from time to time, at regular intervals to be established by the board, a statement indicating in detail the ratio of food sales to the sales of alcoholic beverages. If the average daily receipts from the sale of food ~~fails~~ fail for three successive months to exceed the average daily receipts from the sale of alcoholic beverages the board shall cancel such a permit.

The board of license commissioners is authorized to adopt such rules and regulations as it may deem necessary relating to the issu-