

CHAPTER 710  
(House Bill 608)

AN ACT to repeal and re-enact, with amendments, Section 52B of Article 2B of the Annotated Code of Maryland (1970 Supplement), title "Alcoholic Beverages," subtitle "General Provisions on Issue on Licenses," relating to the renewal, transfer, or reissuance of certain alcoholic beverage licenses in Montgomery County to establishments where subsequent to the original granting of said license a school, church, other place of worship, public library or youth center was erected within seven hundred and fifty feet of said establishment, or where the said license is in effect for said establishment on June 1, 1965, where a previous license has not expired within one year or been revoked because of acts by the owner of the establishment.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 52B of Article 2B of the Annotated Code of Maryland (1970 Supplement), title "Alcoholic Beverages," subtitle "General Provisions on Issue of Licenses," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

## 52B.

In Montgomery County, the board of license commissioners shall not approve any license to sell alcoholic beverages within seven hundred and fifty feet of any secondary or elementary school, church, other places of worship, public library or youth center sponsored or conducted by any governmental agency. Measurement of the required distance shall be made from the nearest point of the building of the proposed establishment for which said license is requested to the nearest point of the building of the school, church, or other place of worship, public library or youth center. The board of license commissioners may within their discretion and by unanimous action of the board approve the application for any license to sell alcoholic beverages more than three hundred feet from any elementary or secondary school, church, other place of worship, public library, or youth center sponsored or conducted by any governmental agency provided that the land upon which the building is situated in which the licensee would operate is classified in a commercial or industrial zone under the applicable zoning ordinance and is adjacent and/or contiguous to other land which is similarly classified under said zoning ordinance. Nothing in this section shall apply to or affect or prohibit, in any manner, the renewal, [or] transfer, or reissuance of a prior license of any license of any establishment where subsequent to the original granting of said license a school, church, other place of worship, public library or youth center was erected within seven hundred and fifty feet of said establishment, or where the said license is in effect for said establishment on June 1, 1965. *For the purposes of this section, reissuance shall be limited to a new license for the establishment issued within one (1) year from the date of expiration or revocation of a prior license provided the revocation did not result from acts of the owner of the establishment.*

SEC. 2. *And be it further enacted,* That this Act shall take effect July 1, 1971.

Approved May 24, 1971.