

CHAPTER 68

(House Bill 1116)

AN ACT to repeal and re-enact, with amendments, Section 19(i) (4) of Article 2B of the Annotated Code of Maryland (1968 Replacement Volume and 1971 Supplement), title "Alcoholic Beverages," subtitle "Beer, wine and liquor licenses," to provide that in Prince George's County special Sunday "on-sale" permits may be issued without the prescribed six months wait, under certain conditions.

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 (1968 Replacement Volume and 1971 Supplement), title "Alcoholic Beverages," subtitle "Beer, wine and liquor licenses," be and it is hereby repealed and re-enacted, with amendments, to read as follows: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 holders 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 two o'clock a.m. the day following; providing the average daily receipts from the sale of food equals forty percent (40%) of the total daily receipts from the sale of food and 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 [.] *except that in the case of a newly licensed establishment the board of license commissioners may immediately authorize the issuance of a special Sunday "on-sale" permit if in the opinion of the board and upon good cause shown the newly licensed establishment meets the specifications of subsection (1) of this section pertaining to the preparation, serving and sale of food and provided further that the holder of the license thereafter complies with the provision of this subsection (4).* 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.

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 fail for three successive months to equal forty percent (40%) of the total daily receipts from the sale of food and alcoholic beverages the board shall cancel such permit. It shall be permissible for the licensee of