

Bill No.: \_\_\_\_\_

Drafted by: Lucas

Requested: \_\_\_\_\_

Committee: \_\_\_\_\_

By: **Delegate Charles**

A BILL ENTITLED

AN ACT concerning

**Prince George’s County – Alcoholic Beverages – Cigar Lounge License**

FOR the purpose of providing for a cigar lounge liquor license in Prince George’s County; authorizing the Board of License Commissioners for Prince George’s County to issue a class B–CL license to a tobacconist under certain circumstances; authorizing the holder of the license to sell beer, wine, and liquor for on–premises consumption; authorizing the holder of the license to make and serve food in a manner commensurate with a Class B license; allowing for Sunday sales; authorizing the license to operate in a certain geographic area; defining the annual cost of the license; including the licensed business in exclusions to the Health Article section 24–505; and generally relating to liquor licenses in Prince George’s County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages  
Section 26–102  
Annotated Code of Maryland  
(2016 Volume and 2019 Supplement)

BY adding to

Article – Alcoholic Beverages  
Section 26–1020  
Annotated Code of Maryland  
(2016 Volume and 2019 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages  
Section 26–1604(a)  
Annotated Code of Maryland  
(2016 Volume and 2019 Supplement)

BY renumbering

Article – Alcoholic Beverages  
Section 26–2004(c), (d), (e), (f), (g), (h), (i), (j), and (k), respectively  
to be Section (d), (e), (f), (g), (h), (i), (j), (k), and (l), respectively  
Annotated Code of Maryland  
(2016 Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General  
Section 24–505  
Annotated Code of Maryland  
(2019 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
That the Laws of Maryland read as follows:

**Article – Alcoholic Beverages**

26–102.

This title applies only in Prince George’s County.

**26–1020.**

**(A) THERE IS A CLASS B–CL (CIGAR LOUNGE) BEER, WINE, AND LIQUOR LICENSE.**

**(B) THE APPLICATION FOR THE LICENSE SHALL BE SIGNED BY AT LEAST ONE OWNER OF THE CIGAR LOUNGE WHO IS A RESIDENT AND TAXPAYER OF THE COUNTY.**

**(C) THE BOARD MAY ISSUE THE LICENSE TO A TOBACCONIST IN PRINCE GEORGE’S COUNTY.**

**(D) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL BEER, WINE, AND LIQUOR FOR ON-PREMISES CONSUMPTION BY A GUEST OF THE CIGAR LOUNGE.**

**(D) THE LICENSE HOLDER MAY SELL BEER, WINE, AND LIQUOR DURING THE HOURS AND DAYS AS SET OUT FOR A CLASS B BEER, WINE, AND LIQUOR LICENSE UNDER § 26-2004 OF THIS TITLE.**

**(E) THE LICENSE HOLDER IS NOT SUBJECT TO THE RESTRICTIONS ON THE SALE OF BEER, WINE, AND LIQUOR ON SUNDAY IN § 26-2004(I)(2) OF THIS TITLE.**

**(F) THE ANNUAL LICENSE FEE IS \$900.00.**

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, **A CLASS B-CL (CIGAR LOUNGE) 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.

26–2004.

(c) (1) A holder of a Class B–CL (cigar lounge) license may not sell beer, wine, or liquor:

(i) except as provided in § 26–2005 of this subtitle, for on–premises consumption;

(ii) except as provided in § 26–2005 of this subtitle, from 2 a.m. to 6 a.m.; and

(iii) at a bar or counter on Sunday, unless the Sunday is December 24 or December 31.

(2) The Board shall adopt regulations to carry out this subsection, including regulations specifying hours and days of sale.

**Article – Health – General**

24–505.

This subtitle does not apply to:

(1) Private homes, residences, including residences used as a business or place of employment, unless being used by a person who is licensed or registered under Title 5, Subtitle 5 of the Family Law Article to provide child care, and private vehicles, unless being used for the public transportation of children, or as part of health care or child care transportation;

(2) A hotel or motel room rented to one or more guests as long as the total percent of hotel or motel rooms being so used does not exceed 25%;

(3) A retail tobacco business that is a sole proprietorship, limited liability company, corporation, partnership, or other enterprise, in which:

(i) 1. The primary activity is the retail sale of tobacco products and accessories; and

[(ii)] 2. The sale of other products is incidental; OR

**(II) THERE IS AN ACTIVE CLASS B-CL (CIGAR LOUNGE) LICENSE IN PRINCE GEORGE’S COUNTY.**

(4) Any facility of a manufacturer, importer, wholesaler, or distributor of tobacco products or of any tobacco leaf dealer or processor in which employees of the manufacturer, importer, wholesaler, distributor, or processor work or congregate; or

(5) A research or educational laboratory for the purpose of conducting scientific research into the health effects of tobacco smoke.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2020, contingent on the taking effect of Chapter \_\_\_\_ (S.B. \_\_\_\_/H.B. \_\_\_\_)(0lr1486) of the Acts of the General Assembly of 2020, and if Chapter \_\_\_\_ (S.B. \_\_\_\_/H.B. \_\_\_\_)(0lr1486) does not take effect, this Act, with no further action required by the General Assembly, shall be null and void.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2020.