



Maryland State Licensed Beverage Association

150 E. Main St., Suite 104, Westminster, MD 21157 ♦ (410) 871-1377, (410) 876-3464
FAX: (410) 871-2545 ♦ Website: www.mslba.org ♦ E-mail: mslba@msn.com

Q&A on Governor Hogan's Executive Order Regarding COVID-19 and Bars and Restaurants

1. Can you still sell carry out (food &/or liquor) if you are an on & off-premise business?

A copy of Governor Hogan's Executive Order closing bars and restaurants can be found here: <https://governor.maryland.gov/wp-content/uploads/2020/03/Executive-Order-Amending-Large-Gatherings.pdf>. Under the Executive Order, carry-out, delivery and drive thru services for food may continue by all bars and restaurants. MSLBA officials were in touch with the Hogan Administration early on in an effort to preserve these types of food service, and we are pleased that the Governor decided to do so.

As for delivery of alcohol by bars and restaurants, Maryland law requires that you have authorization from your local liquor board in order to deliver. Md. Code Ann., Alc. Bev. §4-507. That law remains intact. Contact your local liquor board if you have questions about whether your business may deliver alcoholic beverages. If you are authorized, as always you should require proof of age and ensure that customers are 21 years of age or older.

2. Are private/fraternal clubs included in bars & restaurant closing requirement?

The Governor's Executive Order covers not only to bars and restaurants but "other similar establishments". The "whereas" clauses in the Order are broad in nature, applying generally to places where people congregate and assemble. If you are an owner or operator of a private or fraternal club, the prudent course would be to assume that the Executive Order applies to you as well. The Order is enforceable by local law enforcement.

3. Will package stores be affected?

Currently, there has been no pronouncement affecting package stores. Most businesses where patrons are transient have been unaffected by government orders. MSLBA officials are in touch with the Hogan Administration and the Office of the Comptroller on this issue. While there appears to be no effort at this time to restrict access to package stores, we have requested that should any action be considered, delivery still be permitted where authorized by the local liquor boards.

4. How long are the restrictions on bars and restaurants in place?

The Governor's Order applies until the state of emergency is lifted or until the order is revised. MSLBA officials will remain in touch with the Administration on this issue and keep you informed.

5. Are there other changes to rules or regulations affecting my alcoholic beverage license that I should be aware of?

Effective immediately, the Office of the Comptroller will suspend all reporting requirements of the Code of Maryland Regulations (COMAR) 03.02.01.04 known as Wine and Distilled Spirits Credit Control through June 1, 2020. Other changes may occur at any time. You should monitor the following State website for further directives: <https://businessexpress.maryland.gov/coronavirus>