

Department of Legislative Services
Maryland General Assembly
2014 Session

FISCAL AND POLICY NOTE
Revised

House Bill 135

(Montgomery County Delegation)

Economic Matters

Education, Health, and Environmental Affairs

**Montgomery County - Town of Kensington - Alcoholic Beverages - Special B-K
Licenses
MC 15-14**

This bill authorizes the Montgomery County Board of License Commissioners to issue a special B-K alcoholic beverage license to a restaurant located at the East side of Connecticut Avenue between Warner Street and Knowles Avenue in the Town of Kensington. Any additional license is subject to current law requirements applicable to other special B-K licenses in Montgomery County.

The bill takes effect July 1, 2014.

Fiscal Summary

State Effect: None.

Local Effect: Assuming one application is filed and one license is issued, Montgomery County revenues increase by \$500 due to the applicable filing fee and by \$2,500 annually due to the applicable license fee. Monitoring of this license can be handled with existing resources.

Small Business Effect: Minimal.

Analysis

Current Law: No alcoholic beverage licenses may be issued in the Town of Kensington unless authorized by law. In Kensington, the Montgomery County Board of License Commissioners may issue (1) no more than three Class A (off-sale) beer and light wine

licenses for use in specified commercial areas; (2) no more than three beer and wine sampling or tasting (BWST) licenses for holding tastings or samplings of beer and wine; (3) special B-K beer and wine or B-K beer, wine, and liquor licenses to restaurants in specified commercial areas; and (4) two-day on-sale licenses that are available to specified organizations for events held at the local municipal building.

Licensees of a special B-K alcoholic beverages license in Kensington may sell alcoholic beverages for consumption on the premises and must maintain average daily receipts from the sale of food, not including carryout food, of at least 50% of the overall average daily receipts. The board must make periodic inspections of licensed restaurants to audit the ratio of food sales and alcohol sales. Failure to comply with these requirements may result in revocation of a license by the board.

Background: Montgomery County reports that at this time, the location addressed by the bill is planned to be an office building, with the space below zoned to be a restaurant.

Additional Information

Prior Introductions: None.

Cross File: SB 313 (Montgomery County Senators) – Education, Health, and Environmental Affairs.

Information Source(s): Montgomery County, Department of Legislative Services

Fiscal Note History: First Reader - February 10, 2014
mc/lgc Revised - House Third Reader - March 12, 2014

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