

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE

House Bill 1155 (Delegate Otto)
Rules and Executive Nominations

Somerset County - Alcoholic Beverages - Selling Near Schools, Places of
Worship, Public Libraries, and Youth Centers

This bill exempts an establishment having *any previous owner* who was the holder of an alcoholic beverages license from the distance restriction between a licensed establishment and a school, church or other place of worship, public library, or youth center, as opposed to an establishment *whose previous owner* was the holder of an alcoholic beverages license.

Fiscal Summary

State Effect: None.

Local Effect: To the extent that the bill results in additional applications for and issuance of alcoholic beverages licenses in Somerset County, county revenues increase due to applicable filing and annual licensing fees. Any such increase is likely minimal. Monitoring of additional licenses can be handled using existing resources.

Small Business Effect: Minimal overall, but potential meaningful positive impact for any applicant no longer subject to the distance restriction.

Analysis

Current Law: In Somerset County, in general, the distance between an establishment proposed for licensure and a school, church or other place of worship, public library, or youth center must be 300 feet. Any distance restriction is measured from the nearest point of the building of the establishment for which a license is requested to the nearest point of the property line of a school, church or other place of worship, public library, or youth center.

The distance restriction does not apply to (1) a licensed establishment that existed before the school, church or other place of worship, public library, or youth center was built; (2) an establishment whose previous owner was the holder of a license to sell alcoholic beverages; and (3) special or temporary licenses.

Background: In fiscal 2014, there were 42 alcoholic beverages licenses issued for use in Somerset County. Somerset County advises that, in recent years, the distance restriction has become a topic of discussion as churches have relocated into areas with licensed establishments.

Local Fiscal Effect: To the extent that the bill results in additional applications for and issuance of alcoholic beverages licenses to establishments in Somerset County where *any previous owner*, though not the *immediately previous owner*, was the holder of a license to sell alcoholic beverages, county revenues increase due to applicable filing and annual licensing fees. However, the number of establishments that will seek to obtain or obtain an alcoholic beverages license as a result of the bill, and any corresponding increase in filing and licensing fee revenue, cannot be reliably estimated at this time. It is assumed that any such increase is likely minimal.

Additional Information

Prior Introductions: None.

Cross File: SB 906 (Senator Mathias) - Education, Health, and Environmental Affairs.

Information Source(s): Somerset County, Comptroller's Office, Department of Legislative Services

Fiscal Note History: First Reader - March 24, 2015
min/lgc

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