

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
Enrolled - Revised

Senate Bill 616

(Senator Robinson)

Education, Health, and Environmental Affairs

Economic Matters

Baltimore City – Alcoholic Beverages – License Issuance, Transfer, and Expiration

This emergency bill (1) establishes a marketplace license in the 43rd alcoholic beverages district; (2) authorizes the Baltimore City Board of License Commissioners to issue a Class BWLT (on-premises) beer, wine, and liquor tasting license to a Class A-7 beer, wine, and liquor license holder located in the 46th legislative district; (3) authorizes the issuance in the 43rd alcoholic beverages district of two Class B-D-7 licenses in the 2100 block of North Charles Street and two Class B-D-7 licenses in the 2100 block of North Maryland Avenue; and (4) alters the southern boundary of the Old Goucher Revitalization District to 21st Street from 22nd Street.

Provisions authorizing the issuance of a Class BWLT tasting license to a Class A-7 beer, wine, and liquor license holder in the 46th legislative district are **effective July 1, 2018**, contingent on the enactment of specified provisions authorizing Class B-D-7 license holders to exchange the license for a Class A-7 license.

Fiscal Summary

State Effect: None.

Local Effect: Potential minimal increase in licensing revenue from additional marketplace and Class B-D-7 licenses authorized by the bill. Baltimore City can handle any enforcement activity with existing resources.

Small Business Effect: None.

Analysis

Bill Summary: The bill also requires that, notwithstanding existing transfer restrictions into specified areas of Baltimore City, a Class B-D-7 beer, wine, and liquor license issued for a premises in the 2200 block of West North Avenue or for a premises in the 2000 block of North Charles Street is to be considered unexpired until the end of July 1, 2019, for purposes of completing a transfer to another owner at the same location.

Current Law:

Marketplace License

The marketplace license authorizes a license holder in the 40th alcoholic beverages district to sell beer, wine, and liquor from one or more outlets within the marketplace by the drink or by the bottle for on-premises consumption. Generally, a qualifying marketplace must accommodate the public and be equipped with five or more outlets for preparing and serving regular meals that may be consumed by patrons in a common seating area or anywhere else on the premises. Specifically, a marketplace must have:

- a minimum capital investment, not including the cost of land and buildings, of \$1,000,000 for marketplace facilities;
- a minimum seating capacity of 75 individuals;
- a minimum overall capacity of 200 individuals and a maximum capacity of 500 individuals, as determined by the fire department; and
- average daily receipts from the sale of food that are at least 51% of the total daily receipts of the marketplace.

The annual license fee for a marketplace license is \$6,000. An additional \$500 annual fee is required if the license holder provides live entertainment and an additional \$200 annual fee is required if the license holder provides outdoor table service.

Class B-D-7 Beer, Wine, and Liquor License

The board may issue a Class B-D-7 beer, wine, and liquor license if it determines that the license is reasonably necessary for the convenience of the public. In making the determination, the board must consider the number of beer, wine, and liquor outlets in a given area and the number of days the outlets are open, rather than the nature of the outlets.

The license authorizes the license holder to sell beer, wine, and liquor at retail at the place described in the license, for on- and off-premises consumption from 6:00 a.m. to 2:00 a.m. the following day. The hours of sale for a license holder in the Park Heights

Redevelopment Area is from 9:00 a.m. to 2:00 a.m. the following day. The hours of sale for a license holder in an area bounded by Liberty Heights Avenue, Northern Parkway, Druid Park Drive, and Wabash Avenue are from 9:00 a.m. to 9:00 p.m.

The annual license fee is \$1,320.

Class BWLT (on-premises) Beer, Wine, and Liquor Tasting License

The board may issue the license to a holder of a Class A beer, wine, and liquor license located in the following areas of Baltimore City:

- ward 27, precincts 42 and 44 of the 41st legislative district;
- ward 27, precincts 41 and 48 of the 43rd legislative district;
- ward 12, precinct 3 of the 43rd legislative district;
- ward 11, precinct 5 of the 44th legislative district; and
- the 3000 block of Frederick Avenue in ward 20, precinct 9 of legislative district 44A, based on the Legislative Districting Plan of 2012.

Old Goucher Revitalization District

“Old Goucher Revitalization District” means the area surrounded by Howard Street on the west, 25th Street on the north, St. Paul Street on the east, and 22nd Street on the south.

License Transfers

A transfer of an alcoholic beverages license must be completed on or before 180 days after the board approves the transfer unless the board grants a hardship extension. A written request to extend the time authorized to complete the transfer due to hardship must be made in writing by a license holder or another appropriate interested party within 180 days after the board approves the transfer of a license. The board may grant the extension if it finds after a hearing that an existing hardship caused the delay in transferring the license. However, an extension may not prolong the period authorized to complete the transfer beyond 270 days after the board approves the transfer.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Legislative Services

Fiscal Note History: First Reader - February 21, 2018
md/tso Third Reader - April 9, 2018
Enrolled - May 11, 2018
Revised - Amendment(s) - May 11, 2018

Analysis by: Michelle Davis

Direct Inquiries to:
(410) 946-5510
(301) 970-5510