

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 398 (Senator Conway, *et al.*)
Education, Health, and Environmental Affairs

Baltimore City - Alcoholic Beverages - Protest of License Renewal

This bill authorizes the Baltimore City Board of License Commissioners to require an alcoholic beverages license holder and parties protesting against the license renewal to participate in mediation before the hearing on the protest if the protest is filed at least 30 days before the license expires. **The bill takes effect July 1, 2018.**

Fiscal Summary

State Effect: None.

Local Effect: None. The change is procedural in nature and does not directly affect Baltimore City finances or operations.

Small Business Effect: None.

Analysis

Bill Summary: A mediator may be selected by the board or the participants. If the board selects the mediator, the board must select a mediator that will conduct mediation without requiring payment from the board or the participants. If mediation results in an agreement among the license holder and all protestants, the protest may be withdrawn or dismissed and the board may approve or deny the license renewal without a hearing. If a required mediation does not result in an agreement, the board must hold the hearing on the protest.

Current Law: A protest against a license renewal may be made by at least 10 signatories who are located in the immediate vicinity of the licensed premises and who are residents, commercial tenants who are not holders of or applicants for a license, real estate owners,

or the local licensing board on its own initiative. If a protest against renewing a license is filed at least 30 days before the license expires, the local licensing board may not approve the renewal without holding a hearing. The local licensing board must hear and determine the protest in the same manner as it hears and determines an original application.

To hear and determine a protest filed against a license renewal, the board must consider only issues with respect to a specific complaint as to the operation of the licensed premises and may not consider zoning issues.

Additional Information

Prior Introductions: None.

Cross File: Although HB 747 (Baltimore City Delegation - Economic Matters) is designated as a cross file, the bills are not identical.

Information Source(s): Baltimore City; Department of Legislative Services

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