

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
Enrolled - Revised

Senate Bill 352

(Senator Rosapepe)

Education, Health, and Environmental Affairs

Economic Matters

Prince George's County - Alcoholic Beverages - Class BLX License for Movie Theaters

This bill authorizes the Prince George's County Board of License Commissioners to issue a Class BLX license to a movie theater if (1) the owner or operator of the movie theater has invested at least \$5,000,000 in renovating or remodeling the movie theater; (2) the average daily receipts from the sale of food, excluding receipts from the sale of candy or popcorn, exceed the average daily receipts from the sale of alcoholic beverages; and (3) any employee who serves alcoholic beverages is certified by an approved alcohol awareness program. However, the board may not issue a Class BLX license to a movie theater in the 26th legislative district. A holder of a Class BLX license issued for use in a movie theater may sell beer, wine, and liquor for on-premises consumption and, unlike a Class BLX restaurant licensee, only from noon to 12:30 a.m. the following day. A Class BLX movie theater licensee may serve only customers who have proof of admission to the movie theater. **The bill takes effect July 1, 2019.**

Fiscal Summary

State Effect: None.

Local Effect: Prince George's County revenues increase by \$4,575 in FY 2020, \$8,450 in FY 2021, and \$7,750 annually thereafter from application and licensing fees. Prince George's County can monitor licenses with existing resources.

Small Business Effect: Minimal.

Analysis

Current Law: The board may issue a Class BLX license for use in a luxury restaurant that has (1) a minimum capital investment of \$1,000,000 for a dining room and kitchen equipment, excluding the cost of the land, building, or lease, and (2) seating for at least 100 individuals. The license authorizes the licensee to sell beer, wine, and liquor for on-premises consumption from 6 a.m. to 2 a.m. the following day. Generally, a licensee may not sell beer, wine, or liquor for on-premises consumption between 2 a.m. and 6 a.m. or from a bar or counter on Sunday between 6 a.m. and 2 a.m. the following day. The annual license fee is \$3,875. A single license holder may hold up to 10 Class BLX licenses, subject to specified conditions.

Generally, the board may not issue an alcoholic beverages license for use in a movie theater.

Alcohol Awareness Training Requirements for Alcoholic Beverages Licensees

Generally, for a premises that is licensed to sell alcoholic beverages with an off-sale privilege, or a premises that is licensed with on-sale privileges and sells alcoholic beverages directly to a customer from a bar or service bar, the license holder or specified employees must complete training in an approved alcohol awareness program in order to obtain and retain their alcoholic beverages license. The training program must be approved and certified by the Comptroller, and it must provide information on how alcohol affects a person's body and behavior, the dangers of drinking and driving, refusing service before a customer becomes intoxicated, and determining if a customer is old enough to legally consume alcohol. The training is valid for four years.

Background: Prince George's County advises that there are 110 active Class BLX licenses in the county.

Local Fiscal Effect: The board charges a \$700 application filing fee for an alcoholic beverages license of any class. The annual license fee for a Class BLX license is \$3,875. Accordingly, for each new Class BLX license issued, county revenues increase by \$4,575 at the time of application and \$3,875 annually thereafter.

Under the bill's changes, the board anticipates issuing one new Class BLX license in fiscal 2020 and an additional new Class BLX license in fiscal 2021. Accordingly, Prince George's County revenues increase by \$4,575 in fiscal 2020, \$8,450 in fiscal 2021, and \$7,750 annually thereafter.

Additional Information

Prior Introductions: SB 518 of 2018, a similar bill, passed the Senate as amended and was referred to the House Rules and Executive Nominations Committee, but no further action was taken. Its cross file, HB 206, which was not identical, received an unfavorable report from the House Economic Matters Committee. SB 995 of 2017, a similar bill, passed the Senate as amended and received an unfavorable report from the House Economic Matters Committee. Its cross file, HB 1266, received an unfavorable report from the House Economic Matters Committee.

Cross File: HB 185 (Prince George's County Delegation) - Economic Matters.

Information Source(s): Prince George's County; Department of Legislative Services

Fiscal Note History: First Reader - February 8, 2019
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