

Department of Legislative Services  
Maryland General Assembly  
2021 Session

FISCAL AND POLICY NOTE  
Third Reader

Senate Bill 731

(Senator Edwards)

Education, Health, and Environmental Affairs

Economic Matters

---

**Allegany and Garrett Counties – Alcoholic Beverages – Gift Basket Permits**

---

This bill establishes a gift basket permit in Allegany and Garrett counties. A gift basket permit may be issued to a person whose primary business is the sale and delivery of flowers or specified gift baskets who does not hold any other alcoholic beverages license or permit. The gift basket permit fee is \$100. The permit holder's annual sales from alcoholic beverages may not exceed 10% of the holder's annual gross sales. **The bill takes effect July 1, 2021.**

---

**Fiscal Summary**

**State Effect:** None.

**Local Effect:** Allegany and Garrett counties revenues increase to the extent gift basket permits are issued in each county under the bill. The counties can monitor permits and adopt the required regulations with existing resources.

**Small Business Effect:** Minimal overall, but potential meaningful impact for permit holders able to sell gift baskets containing alcohol, as specified, under the bill.

---

**Analysis**

**Bill Summary:** The bill's provisions are the same for each county, except that in Garrett County there is an additional one-time issuing fee of \$100 for a new permit.

A permit holder may sell and deliver, to consumers of a legal drinking age located in the county, gift baskets containing up to 72 ounces of beer, 2.25 liters of wine, or 2.25 liters of liquor. The permit holder or an employee of the permit holder must deliver the gift basket

and require the person receiving the delivery to display proof that the person is at least 21 years old. An individual who delivers a gift basket under the bill must be at least 21 years old. The alcoholic beverages contained in a gift basket must be purchased from a retail license holder.

A permit may not be issued for use in conjunction with or on the premises of a chain store, supermarket, or discount house. Each county's Board of License Commissioners must adopt regulations to carry out the bill. Additionally, a permit holder must maintain records and submit reports as required by the board.

**Local Fiscal Effect:** Allegany and Garrett counties revenues increase by \$100 annually for each gift basket permit issued. In addition, Garrett County revenues increase from one-time issuing fees of \$100 for each new gift basket permit issued in the county. As the number of individuals that will seek to obtain a permit, as a result of the bill, is unknown, any corresponding revenue increase cannot be reliably estimated. The counties can monitor permits and adopt the required regulations with existing resources.

---

### **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** HB 1059 (Allegany County Delegation and Garrett County Delegation) - Economic Matters.

**Information Source(s):** Department of Legislative Services

**Fiscal Note History:** First Reader - February 15, 2021  
an/tso Third Reader - March 19, 2021

---

Analysis by: Tyler Allard

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