

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE

House Bill 38 (Delegate Arnick)

Economic Matters

Baltimore County - Alcoholic Beverages - Board of License Commissioners - Appeals

This bill allows business owners to act on their own in appealing a decision by the Baltimore County Board of License Commissioners to the Circuit Court for Baltimore County. To appeal an alcoholic beverages licensing decision, an owner's business must be located in the election district where the licensed premises is located or proposed to be located. In addition, regardless of what group or individual is appealing a board decision, the bill drops the stipulation that all costs of the licensing board hearing be paid prior to an appeal to the circuit court.

Fiscal Summary

State Effect: The bill would not directly affect State governmental operations or finances.

Local Effect: Revenues would not be affected because, under current practice, no fee is charged to individuals who appeal board decisions. Any additional hearings the bill requires could be handled with existing resources.

Small Business Effect: Potential meaningful.

Analysis

Current Law: Licensees, license applicants, and groups of ten or more residents or real estate owners in the election district where a licensed premises is located, or proposed to be located, may appeal a Board of License Commissioners decision to the circuit court. According to law, though not by practice in Baltimore County, those individuals appealing a decision must pay all costs incident to the license hearing before appealing. Individual

owners cannot appeal a decision on their own.

Small Business Effect: To the extent that they utilize their right to appeal and are successful when doing so, lone owners of existing small businesses would have the ability to affect the issuance and renewal of alcoholic beverage licenses in their businesses' districts. Through this process, business owners could have an impact on the types of establishments that surround their businesses, and could therefore affect local competition as well as the amount and type of foot traffic in the district. On the other hand, small business owners wishing to acquire an alcoholic beverage license for premises located in Baltimore County may face additional obstacles in doing so.

Additional Information

Prior Introductions: This bill was introduced in the 1999 session as HB 105 and passed third reading in the House 131-0. However, it failed in the Senate.

Cross File: None.

Information Source(s): Baltimore County, Department of Legislative Services

Fiscal Note History: First Reader - January 19, 2000

cm/jr

Analysis by: Mark Collins

Direct Inquiries to:
John Rixey, Coordinating Analyst
(410) 946-5510
(301) 970-5510