

**Department of Legislative Services**

Maryland General Assembly

2002 Session

**FISCAL NOTE**

**Revised**

Senate Bill 698

(Senator Colburn)

Education, Health, and Environmental Affairs

Economic Matters

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**Dorchester County - Alcoholic Beverages - Class B Licenses**

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This bill reduces the minimum seating capacity requirement from 100 to 75 seats at tables for restaurants, motels, and hotels in Dorchester County with a Class B beer, wine, and liquor license.

The bill is effective July 1, 2002.

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**Fiscal Summary**

**State Effect:** None.

**Local Effect:** Dorchester County revenues would increase by \$1,000 for each Class B beer, wine, and liquor license issued.

**Small Business Effect:** To the extent that a smaller seating requirement allows an existing restaurant to obtain or a new restaurant to open with a Class B beer, wine, and liquor license small business restaurants, hotels, and motels could be positively impacted.

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**Analysis**

**Current Law:** In Dorchester County, restaurants, hotels, and motels holding a Class B beer, wine, and liquor license is required to have at least 100 seats at tables.

Generally, the minimum number of seats required for a hotel or a motel with a Class B beer, wine, and liquor license is 125 seats. However, in Carroll and Frederick counties

the minimum seating required for a hotel or a motel is 50 seats not including seats at bars or counters.

There are no provisions of law that apply statewide regarding the number of seats in a restaurant as a requirement for holding a Class B beer, wine, and liquor license, although seating requirements vary in each jurisdiction. For illustration purposes only, some examples follow: in Prince George's County the minimum seating requirement is 100 seats for a BLX licensee or 150 seats for a catering establishment licensee; in Somerset County the minimum seating requirement is 50 seats at tables; in Wicomico County the minimum seating requirement is 75 seats at tables; in Talbot County the minimum seating requirement is 50 seats; and in Worcester County the minimum seating requirement in a restaurant is 70 seats.

**Background:** Dorchester County advises that it expects very few potential new applicants to apply for a Class B beer, wine, and liquor license if the seating requirement is reduced to 75 seats. Dorchester County further advises that nearly all of its existing Class B beer, wine, and liquor licensees held their licenses before the seating requirement became effective and reducing the seating requirement from 100 to 75 seats brings all existing Class B beer, wine, and liquor licensees into compliance with the license's seating requirements.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** HB 223 (Dorchester County Delegation) - Economic Matters. However, as amended, SB 698 is exactly the same as HB 1397.

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

**Fiscal Note History:** First Reader - February 28, 2002  
lsc/hlb Revised - Senate Third Reader - March 22, 2002

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