

Department of Legislative Services
Maryland General Assembly
2002 Session

FISCAL NOTE

Senate Bill 748 (Senator Mitchell)
Education, Health, and Environmental Affairs

Baltimore City - Alcoholic Beverages - Licensed Premises Remaining Open After Hours

This bill authorizes holders of alcoholic beverages licenses in a B-4 or a B-5 zoning district in Baltimore City to remain open after hours for a lawful purpose other than the sale or consumption of alcoholic beverages if the purpose does not violate a zoning requirement.

The bill is effective July 1, 2002.

Fiscal Summary

State Effect: None.

Local Effect: Baltimore City expenditures would increase to alter and expand enforcement of alcoholic beverages law in B-4 and B-5 zoned districts. Baltimore City revenues would not be affected.

Small Business Effect: Minimal. To the extent that alcoholic beverages licensees in B-4 and B-5 zoned districts in Baltimore City can remain open for the entertainment of patrons, small business licensees could be positively impacted.

Analysis

Current Law: Generally, the sale and consumption of alcoholic beverages on any licensed premises open to the public is prohibited from 2 a.m. to 6 a.m. In Baltimore City a licensed premises must cease all operations including the serving of alcoholic beverages or food or providing entertainment at the closing hour as specified by the class

of the license. However, the prohibition does not apply: (1) on New Year's Day; (2) to Class B restaurant licensees serving food to patrons seated for dining; (3) to a pharmacy filling prescriptions and selling products other than alcoholic beverages; and (4) to Class B hotel licensees serving food to seated customers, at private functions, or to guest rooms receiving room service.

Background: B-4 and B-5 zoned districts are considered heavily commercial districts and are primarily located in downtown Baltimore in the area commonly known as the "commercial business district." Information on the number of licensed premises in B-4 or B-5 zoned districts is not readily available.

Chapter 461 of 2000 codified the Board of License Commissioner's policy that alcoholic beverages licensees must cease all operations at the closing hour designated by its class of license with exceptions for New Year's Day, pharmacies, Class B restaurants, and Class B hotels.

Local Fiscal Effect: Authorizing licensed premises to remain open after the closing hours specified in an alcoholic beverages license will require alcoholic beverages inspectors and Baltimore City police to alter and expand the enforcement of alcoholic beverages law in B-4 and B-5 zoned districts. Any such increase in enforcement costs cannot be reliably estimated at this time.

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader - March 13, 2002
mam/hlb

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