

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE
Revised

House Bill 740

(St. Mary's Delegation)

Economic Matters

Education, Health, and Environmental Affairs

St. Mary's County - Alcoholic Beverages - License Applications

This bill requires the Alcohol Beverage Board of St. Mary's County, before approving an application and issuing an alcoholic beverages license, to consider: (1) the public need and desire for the license; (2) the number and location of existing licensees and the potential effect on existing licensees of the license applied for; (3) the potential commonality or uniqueness of the services and products offered by the applicant's business; (4) the impact on the general health, safety, and welfare of the community including issues relating to crime, traffic conditions, parking, or convenience; and (5) any other necessary factors as determined by the board.

Fiscal Summary

State Effect: None.

Local Effect: None. St. Mary's County's finances would not be directly affected by the bill's provisions.

Small Business Effect: Potential meaningful.

Analysis

Current Law: In every jurisdiction in Maryland, except for Baltimore City or Harford and St. Mary's counties, before approving an application and issuing a license, the local board of license commissioners (alcohol beverage board) must consider: (1) the public need and desire for the license; (2) the number and location of existing licensees and the potential effect on existing licensees of the license applied for; (3) the potential

commonality or uniqueness of the services and products to be offered by the applicant's business; (4) the impact on the general health, safety, and welfare of the community including issues relating to crime, traffic conditions, parking, or convenience; and (5) any other necessary factors as determined by the board.

Additionally, in every jurisdiction in Maryland, except for Baltimore City or Harford and St. Mary's counties, an applicant for an alcoholic beverages license or a transfer of an existing license must be denied if the local board of license commissioners (alcohol beverage board) determines that: (1) the granting of the license is not necessary for the accommodation of the public; (2) the applicant is not fit to receive the license for which the application is made; (3) the applicant has made a material false statement in the application; (4) the applicant has practiced fraud in connection with the application; (5) the operation of the establishment will disturb the peace of the residents of the neighborhood where the license will be located; and (6) there are other reasons in the discretion of the board why the license should not be issued.

Small Business Effect: To the extent that the St. Mary's Alcohol Beverage Board limits the number of new and transfer of existing alcoholic beverages licenses, small business owners could be materially affected. Existing small business owners wishing to acquire an alcoholic beverages license may face additional obstacles in doing so.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): St. Mary's County, Department of Legislative Services

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Analysis by: Christopher J. Kelter

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