

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE
Revised

House Bill 472

(Allegany County Delegation)

Economic Matters

Education, Health, and Environmental Affairs

Allegany County and Garrett County - Alcoholic Beverages Licenses - Out-of-State Restriction

This bill prohibits in Allegany and Garrett counties the issuance of a new Class A or Class D beer; beer and light wine; or beer, wine, and liquor license to any person, corporation, or limited liability company holding an alcoholic beverages license in any other state or the District of Columbia. The bill allows current license holders to renew their licenses.

The bill takes effect July 1, 2004.

Fiscal Summary

State Effect: None.

Local Effect: Revenues in Allegany and Garrett counties could decrease minimally due to the prohibition against issuing a license to an entity that holds an alcoholic beverages license in any other state or in the District of Columbia. County expenditures would not be affected.

Small Business Effect: Potential meaningful.

Analysis

Current Law: There is no prohibition in Allegany or Garrett counties against the issuance of such a license to a person, corporation, or limited liability company holding

an alcoholic beverages license in any other state or the District of Columbia. Several jurisdictions restrict issuance to current license holders only.

In Anne Arundel, Baltimore, Calvert, Charles, St. Mary's, and Washington counties a Class A or Class D beer; beer and light wine; or beer, wine, and liquor license may not be issued, except by way of renewal, to a person, corporation, or limited liability company holding an alcoholic beverages license in any other state or the District of Columbia. In Baltimore City, a Class A or Class D beer; beer and light wine; or beer, wine, and liquor license may not be issued, except by way of renewal, to a person, corporation, or limited liability company holding an alcoholic beverages license in any other state.

Background: As of April 30, 2003, there were 136 Class A and Class D licensees in Allegany County. Allegany County does not require applicants and licensees to provide any information regarding alcoholic beverages licenses held in another state or the District of Columbia. Accordingly, information on the number of Class A and Class D licensees currently holding an out-of-state or District of Columbia alcoholic beverages license is not readily available.

As of January 31, 2004, there were 50 Class A and Class D licensees in Garrett County. Garrett County advises that none of these licensees currently holds an alcoholic beverages license in another state or the District of Columbia.

Small Business Effect: Existing small businesses in Allegany or Garrett counties that hold a Class A or Class D beer; beer and light wine; or beer, wine, and liquor license may be positively impacted due to less competition. Any small business seeking such a license in Allegany or Garrett counties that currently holds an alcoholic beverages license in any other state or in the District of Columbia would be prevented from obtaining a license.

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader - February 11, 2004
ncs/ljm Revised - Enrolled Bill - May 5, 2004

Analysis by: Christopher J. Kelter

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