

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE
Revised

House Bill 522

(Delegates Minnick and Kach)
(Baltimore County Administration)

Economic Matters

Education, Health, and Environmental Affairs

**Baltimore County - Alcoholic Beverages - Hunt Valley Commercial/Mixed Use
Focal Point**

This bill authorizes the Baltimore County Board of License Commissioners to transfer two beer, wine, and liquor (on-sale) retail licenses in Election District 15 into the Hunt Valley Commercial/Focal Point area for use as Class B (HV) beer, wine, and liquor restaurant (on-sale) licenses. The bill provides that a Class A (off-sale) or Class C (club) license, or any license prohibited from being transferred by law or local regulation other than crossing district lines, may not be transferred into the Hunt Valley Commercial/Focal Point area. The board may not issue more than three beer, wine, and liquor licenses in the Hunt Valley Commercial/Mixed Use Focal Point area under the exceptions of Rule 19 of the board's rules and regulations.

The bill takes effect July 1, 2004.

Fiscal Summary

State Effect: None.

Local Effect: No effect on Baltimore County revenues and expenditures.

Small Business Effect: Minimal. Any alcoholic beverages licensee that converts their existing retail alcoholic beverages license into a Class B (HV) restaurant beer, wine, and liquor (on-sale) license for a restaurant in the Hunt Valley Commercial/Mixed Use Focal Point area could be positively impacted.

Analysis

Bill Summary: The bill requires, before transfer, that the original retail licenses are in existence in Election District 15 on July 1, 2004 and valid on the date of transfer. The bill requires, in addition to several other qualifications and conditions, that a restaurant must maintain average daily receipts from the sale of food of at least 70% of the total daily receipts of the establishment and the total seating capacity of the area dedicated primarily for the purpose of the consumption of alcoholic beverages may not exceed 25% of the total seating capacity. The hours during which alcoholic beverages may be served may be more than the hours for which food is offered for sale, and alcoholic beverages may not be sold after 1:30 a.m. The proposed location for a restaurant must comply with applicable zoning ordinances of Baltimore County. Once issued, the licenses authorized by the bill may not be transferred outside of the Hunt Valley Commercial/Mixed Use Focal Point area unless transferred to the original location and may not be converted into any other class of license.

Current Law: The annual license fee for any beer, wine, and liquor (on-sale) license eligible to be transferred into the Hunt Valley Commercial/Mixed Use Focal Point area is \$1,000.

Background: The Hunt Valley Commercial/Mixed Use Focal Point area is designated in the Hunt Valley/Timonium Master Plan adopted by the Baltimore County Council on October 19, 1998. The area is known as the Hunt Valley Towne Center (formerly known as the Hunt Valley Mall). Election District 15 is located in Dundalk.

Rule 19 of the board's rules and regulations prohibits, with limited exceptions, the issuance of more than one on-sale license for every 2,500 of population in an election district. The applicable exception in this circumstance is a shopping center with a minimum of 750,000 square feet which allows for the issuance of three beer, wine, and liquor (on-sale) licenses.

The license fee for a Class B (HV) restaurant beer, wine, and liquor license would be \$1,000. Baltimore County advises that it is currently aware of two beer, wine, and liquor (on-sale) retail licenses currently in Election District 15 that would be transferred to the Hunt Valley Commercial/Focal Point area for use as a Class B (HV) beer, wine, and liquor restaurant (on-sale) license.

Chapter 365 of 2003 authorized the Baltimore County Board of License Commissioners to transfer three retail beer, wine, and liquor (on-sale) licenses into the Towson Revitalization District. Some of the same restrictions to licenses issued in the Towson Revitalization District also apply to any license transferred to the Hunt Valley Commercial/Mixed Use Focal Point area.

Additional Information

Prior Introductions: None.

Cross File: SB 201 (Chairman, Baltimore County Senators) – Education, Health, and Environmental Affairs.

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

Fiscal Note History: First Reader - February 26, 2004
ncs/ljm Revised - House Third Reader - April 1, 2004

Analysis by: Christopher J. Kelter

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