

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE

Senate Bill 227

(Harford County Senators)

Education, Health, and Environmental Affairs

Economic Matters

Harford County - Alcoholic Beverages Licenses - Transfers

This bill repeals the following three requirements that must be met before the Harford County Liquor Control Board is required to transfer an alcoholic beverages license: (1) the location remains the same; (2) the license had been held for 15 years by the transferor prior to the date of application for transfer; and (3) there have been no violations within three years prior to the date of application for transfer.

Fiscal Summary

State Effect: None.

Local Effect: None. This bill codifies existing practice.

Small Business Effect: None.

Analysis

Current Law: Generally, with limited exceptions, the transfer of an alcoholic beverages license is permitted if all taxes have been paid prior to the transfer, and proof is offered that arrangements have been made concerning the debts of the licensee with respect to the licensed premises.

However, only in Harford County is the Harford County Liquor Control Board required to transfer an alcoholic beverages license that is issued for a business if: (1) the business is sold to a different owner; (2) the location remains the same; (3) the license has been held by the transferor for a period of 15 years prior to the date of application for transfer;

(4) there have been no violations within three years prior to the date of application for transfer; and (5) the new owner qualifies as a licensee under the Alcoholic Beverages Article.

Background: Harford County advises that two requirements make it nearly impossible to transfer an alcoholic beverages license lawfully in any circumstances. These requirements relate to the 15-year period of transferor ownership and the three-year period without violations of alcoholic beverages law and regulations. However, Harford County further advises that transfers of alcoholic beverages licenses have been approved and have occurred in spite of these two restrictions. Additionally, the county further advises that the board has transferred alcoholic beverages licenses to new locations for many years.

Additional Information

Prior Introductions: None.

Cross File: HB 339 (Harford County Delegation) – Economic Matters.

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

Fiscal Note History: First Reader - February 17, 2004
n/ljm

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