

Department of Legislative Services

Maryland General Assembly

2004 Session

FISCAL AND POLICY NOTE

Revised

Senate Bill 797

(Chairman, Baltimore County Senators)

(By Request – Baltimore County Administration)

Education, Health, and Environmental Affairs

Economic Matters

Baltimore County - Alcoholic Beverages - Additional Class B (Restaurant) License

This bill authorizes in Baltimore County the holder of a Class B (on-sale, hotels and restaurants) beer, wine, and liquor license individual for the use of a sole proprietorship, partnership, corporation, unincorporated association, or limited liability company to obtain an additional Class B (on-sale, hotels and restaurants) beer, wine, and liquor license for use in a restaurant in the Liberty Road Commercial Revitalization District. Off-sale privileges may not be conferred by these licenses. The bill also prohibits the issuance of more than five specified Class B licenses to an individual as a sole proprietorship, partnership, corporation, unincorporated association, or limited liability company.

The bill takes effect July 1, 2004.

Fiscal Summary

State Effect: None.

Local Effect: Baltimore County revenues would increase by \$1,000 for each Class B (on-sale, hotels and restaurants) beer, wine, and liquor license issued. Expenditures would not be affected.

Small Business Effect: Minimal overall, but potentially meaningful for restaurants in the Liberty Road Commercial Revitalization District.

Analysis

Bill Summary: A licensee must meet the requirements of the rules and regulations of the Board of License Commissioners regarding the availability and issuance of licenses. The restaurant must meet the definition requirements of a restaurant under the regulations of the board, have a minimum seating capacity of 190 persons for dining, have a cocktail lounge or bar area seating capacity that does not exceed 10% of the seating capacity for dining, have no more than 20% of sales in alcoholic beverages in connection with the business, and be located in the Liberty Road Commercial Revitalization District as defined by the Baltimore County Council on October 18, 1999.

Current Law: In general, a local alcoholic beverages board may not issue more than one alcoholic beverages license to, or for the use of, one person. However, there are numerous exceptions to this prohibition. Generally, an individual in Baltimore County, for the use of a sole proprietorship, partnership, corporation, unincorporated association, or limited liability company, may obtain up to three Class B (on-sale) beer, wine, and liquor licenses for a restaurant. As many as four such licenses may be issued if each restaurant meets specified criteria including a minimum seating capacity of 190 persons for dining, a cocktail lounge or bar area seating capacity that does not exceed 10% of the seating capacity for dining, and no more than 20% of sales in alcoholic beverages in connection with the business. However, one of the four licenses must be a Class BDR deluxe restaurant (on-sale) beer, wine, and liquor license.

The license fee for any Class B (on-sale) beer, wine, and liquor license is \$1,000.

Background: The Liberty Road Commercial Revitalization District is one of 13 revitalization districts in Baltimore County. The district is located on an eight-mile stretch of Liberty Road in the northwest part of the county extending from the Baltimore City limits.

Local Fiscal Effect: Baltimore County anticipates two additional Class B (on-sale, hotels and restaurants) beer, wine, and liquor licenses to be issued in the Liberty Road Commercial Revitalization District as a result of this bill. Accordingly, Baltimore County revenues could increase by \$2,000 annually.

Additional Information

Prior Introductions: None.

Cross File: HB 1219 (Chairman, Baltimore County Delegation) (By Request – Baltimore County Administration) – Economic Matters.

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

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