

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE

House Bill 1130
Economic Matters

(Prince George's County Delegation)

Prince George's County - Alcoholic Beverages - Places of Public Entertainment
PG 304-05

This bill prohibits a place of public entertainment from dispensing setups or serving, dispensing, keeping, or allowing to be consumed on its premises alcoholic beverages or any component part of a mixed alcoholic drink in Prince George's County. A place of public entertainment is defined as a business that does not hold an alcoholic beverages license and allows on its premises nudity and sexual displays. A violator is guilty of a misdemeanor and is subject to imprisonment for up to two years, a fine of up to \$10,000, or both.

The bill takes effect June 1, 2005.

Fiscal Summary

State Effect: Because it is assumed that the bill would apply in a limited number of cases, State finances should not be affected.

Local Effect: The bill would not materially impact Prince George's County finances.

Small Business Effect: Minimal.

Analysis

Background: In 17 jurisdictions – Allegany, Anne Arundel, Calvert, Caroline, Carroll, Cecil, Charles, Dorchester, Frederick, Garrett, Harford, Kent, Queen Anne's, St. Mary's, Washington (with a limited exception), Wicomico, and Worcester counties – an alcoholic

beverages licensee is subject to having its alcoholic beverages license revoked if it permits nudity and sexual displays on its premises.

Furthermore, it is a crime in Allegany, Anne Arundel, Charles, Howard, Somerset, Wicomico, and Worcester counties for a person to perform or otherwise participate in any kind of live obscene performance or exhibition in the presence of paid observers. Additionally, in these same counties, an owner, lessee, or manager of a building, garden, place, room, structure, or theatre may not knowingly allow or assent to the use of the premises for these types of exhibitions. A first-time violator is guilty of a misdemeanor and is subject to a fine of up to \$1,000, imprisonment for up to one year, or both. For each subsequent violation, the offender is subject to a fine of up to \$5,000, imprisonment for up to three years, or both.

State Fiscal Effect: General fund revenues could increase minimally as a result of the bill's monetary penalty provision from cases heard in the District Court. However, because it is assumed that the penalty provisions would only apply in a limited number of cases, State finances should not be materially impacted.

Local Fiscal Effect: Revenues could increase minimally as a result of the bill's monetary penalty provision from cases heard in the circuit courts. Furthermore, expenditures could increase minimally as a result of the bill's incarceration penalty. Because it is assumed, however, that the penalty provisions would apply only in a limited number of cases, Prince George's County finances should not be materially impacted.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Prince George's County, Department of Legislative Services

Fiscal Note History: First Reader - March 18, 2005
mp/ljm

Analysis by: Joshua A. Watters

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