

**Department of Legislative Services**  
Maryland General Assembly  
2005 Session

**FISCAL AND POLICY NOTE**  
**Revised**

Senate Bill 140

(Senator Della)

Education, Health, and Environmental Affairs

Economic Matters

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**Baltimore City - 46th Alcoholic Beverages District - Restaurant Exemptions**

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This bill exempts restaurants in specified areas of Baltimore City from the prohibitions regarding the issuance and transfer of alcoholic beverages licenses under specified circumstances.

The bill takes effect July 1, 2005.

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**Fiscal Summary**

**State Effect:** None.

**Local Effect:** Baltimore City annual license fee revenues would increase by \$1,100, as well as by a one-time application fee of \$400 for each Class B beer, wine, and liquor license issued under the bill. Expenditures would not be affected.

**Small Business Effect:** Minimal.

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**Analysis**

**Bill Summary:** This bill requires that, in order to obtain a Class B beer, wine, and liquor license, a restaurant located in the 1<sup>st</sup> precincts of the 4<sup>th</sup> and 22<sup>nd</sup> wards of the 46<sup>th</sup> alcoholic beverages district in Baltimore City have: (1) a minimum capital investment of \$750,000; (2) a seating capacity of at least 70 persons; (3) 65% of average daily receipts from food sales; and (4) no sales of alcoholic beverages for off-premises consumption. Additionally, the bill would allow Baltimore City to issue or transfer such an alcoholic beverages license to a location within 300 feet of the nearest point of a church or school.

The bill also provides that a Class B beer, wine, and liquor license may be granted to no more than three restaurants in a residential development called Silo Point, provided the restaurant has: (1) a minimum capital investment of \$600,000; (2) a seating capacity exceeding 70 persons; (3) average daily receipts from the sale of food of at least 65% of the total daily receipts of the restaurant; and (4) no sales for off-premises consumption.

**Current Law:** In the 46<sup>th</sup> alcoholic beverages district in Baltimore City, a restaurant must have: (1) a minimum investment of \$500,000 for restaurant facilities (excluding the cost of the land, building, or exterior improvements to the building); (2) a seating capacity of between 75 and 150 persons; and (3) 51% of average daily receipts from food sales, in order to obtain a Class B beer, wine, and liquor license.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

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

**Fiscal Note History:** First Reader - March 10, 2005  
mam/ljm Revised - Senate Third Reader - April 4, 2005

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