

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE

Senate Bill 90 (Senator Della)
Education, Health, and Environmental Affairs

Economic Matters

Baltimore City - Alcoholic Beverages - Public Hearing on License Transfers

This bill requires the Baltimore City Board of License Commissioners to hold a public hearing on the transfer of an alcoholic beverages license for an establishment in operation, if the hearing is requested by at least 10 residents in the immediate area of the establishment.

Fiscal Summary

State Effect: None.

Local Effect: To the extent that there are more hearings as a result of the bill, there could be an increase in Baltimore City fee revenue; however, there could also be an increase in expenditures associated with hiring a court reporter for the hearings.

Small Business Effect: Potential minimal.

Analysis

Current Law: Before the Baltimore City Board of Liquor License Commissioners approves any application for a license, the board must publish a notice of the application two times in two successive weeks in three newspapers of general circulation in the city.

In Baltimore City, if it appears that more than 50% of the owners of real or leasehold property or a combination of owners and tenants located within 200 feet of a place of business for which an alcoholic beverages license is applied are opposed to the granting of the license, the license application may not be approved. However, this restriction does not apply to the application for a license by way of renewal or transfer for the same premises. However, these restrictions do apply to a license transfer if the license to be

transferred is of a broader scope or more permissive class than the license presently issued for the same premises.

Upon receipt of an application for a new license, a license transfer, a license class change, a request for live entertainment on the licensed premises, or an extension of the licensed premises, the Baltimore City Board of Liquor License Commissioners must advertise and post notice of the application or request. The board must hold a public hearing on each request for a new license, a license class change, a request for live entertainment, or an expansion of the licensed premises. The board must also hold a public hearing on the transfer of ownership of a license when the transfer includes a transfer of location or the premises have been closed for at least 90 days, except when the closing is caused by fire, casualty, act of God, or when the transfer is due to the action of a creditor.

Background: The Baltimore City Board of Liquor License Commissioners advises that in calendar 2005, there were 243 applications for license transfer, of which 84 required a public hearing.

Local Fiscal Effect: The Baltimore City Board of Liquor License Commissioners advises that this bill could result in additional transfer conference or hearings. As a result, there could be an increase in expenditures related to hiring a court reporter to transcribe the board's decisions. The board advises that it charges a \$100 fee for each hearing, thus revenues could increase. The net fiscal impact depends on the additional number of hearings as a result of this bill, as well as any expenses associated with hiring a court reporter, neither of which can be reliably quantified at this time. In any event, the board advises that the impact should be minimal.

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader - February 15, 2006
ncs/hlb

Analysis by: Joshua A. Watters

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