

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE
Revised

House Bill 1702 (Chairman, Baltimore County Delegation, *et al.*)
(By Request – Baltimore County Administration)

Economic Matters

Education, Health, and Environmental Affairs

**Baltimore County - Alcoholic Beverages - Class B (B, W, L) (TSB) Restaurant-
Service Bar Licenses**

This bill authorizes the Baltimore County Board of Liquor License Commissioners to issue up to three Class B (B, W, L) (TSB) restaurant-service bar beer, wine, and liquor (on-sale) licenses, without regard to applicable population-based license quotas, in the Towson or Loch Raven commercial revitalization districts as they are defined by the Baltimore County Council.

The bill takes effect June 1, 2006 and terminates, without further action by the General Assembly, at the end of December 31, 2011.

Fiscal Summary

State Effect: None.

Local Effect: Baltimore County revenues could increase by \$3,000 annually. Expenditures would not be affected.

Small Business Effect: Minimal.

Analysis

Bill Summary: The issuance qualifications, fee, and days and hours of sales for a Class B (B, W, L) (TSB) license are the same as those for a Class B beer, wine, and liquor (on-sale) hotel and restaurant license. A license may only be issued in conjunction with the operation of a restaurant both as defined by the board and that has service for seated customers, a minimum seating capacity of 40 persons and a maximum of 120, and

maintains average daily receipts from the sale of food of at least 60% of the total daily receipts of the restaurant. The proposed location of the restaurant must comply with the zoning ordinances of Baltimore County, and the license may not be issued for a location that has been licensed under any class of alcoholic beverages license within two years of the application being filed. The license may not be transferred from the licensed premises or converted into another class of license.

Current Law: The area of a Class B beer, wine, and liquor (on-sale) hotel and restaurant licensed premises, in Baltimore County, normally used as a restaurant for the preparation and consumption of food must not occupy less than 80% of the square footage of the premises if the license was issued after 1966. The license fee for a Class B beer, wine, and liquor (on-sale) hotel and restaurant license in Baltimore County is \$1,000. The privileges of the Class B license may be exercised from 6 a.m. to 2 a.m. on the following day.

Subject to exceptions, the maximum number of allowable alcoholic beverages licenses in a single election district in Baltimore County, pursuant to the Baltimore County Board of Liquor License Commissioners' Rules and Regulations, is limited to one on-sale license, excluding club licenses, for every 2,500 people and one off-sale license for every 4,000 people.

Local Fiscal Effect: The county advises that this "service bar" or table service license will enable development of smaller neighborhood restaurants that seat between 40 and 120 patrons as part of the revitalization. The county board cannot estimate how many of the three Class B (B, W, L) (TSB) licenses available under the bill would be applied for and issued. If all three were issued in fiscal 2007, Baltimore County revenues would increase by \$3,000 annually due to the \$1,000 license fee collected for each license, assuming the licenses continued to be renewed. Any increase in enforcement and monitoring could be handled with existing resources.

Additional Information

Prior Introductions: None.

Cross File: SB 1061 (Senator Brochin) (By Request – Baltimore County Administration) – Education, Health, and Environmental Affairs.

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

Fiscal Note History: First Reader - March 14, 2006
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