

**Department of Legislative Services**  
Maryland General Assembly  
2006 Session

**FISCAL AND POLICY NOTE**

House Bill 935  
Economic Matters

(Prince George's County Delegation)

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**Prince George's County - Alcoholic Beverages License Restriction - Repeal of  
Exemption  
PG 326-06**

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This bill applies specified distance requirements for a licensed premises near a church or school to the holder of a (1) Class B beer, wine, and liquor license; (2) Sunday "on-sale" permit for a Class B beer, wine, and liquor license; or (3) special Class C license.

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**Fiscal Summary**

**State Effect:** None.

**Local Effect:** Potential decrease in Prince George's County alcoholic beverages license fee revenues. Expenditures would not be affected.

**Small Business Effect:** Potential meaningful.

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**Analysis**

**Current Law:** In Prince George's County, an alcoholic beverages license may not be granted to any building within 1,000 feet of a school building or within 500 feet of a church. There are a number of exemptions to this provision, including the licensed premises of a holder of a Class B beer, wine, and liquor license; a Sunday "on-sale" permit for a Class B beer, wine, and liquor license; or a special Class C license. Furthermore, the distance restriction does not apply to a renewal of a license of any establishment where after the original granting of the license, a school or church building was erected within 1,000 feet.

**Background:** A number of jurisdictions place restrictions upon the location of licensed premises near a church or a school. In Montgomery County, for example, the Board of License Commissioners (with exceptions) may not issue any alcoholic beverages license within 750 feet of any secondary or elementary school, church or other place of worship, or youth center sponsored or conducted by any governmental agency.

The license fees of the types of licenses affected by the bill's provisions are as follows:

- Class B beer, wine, and liquor (on-sale) – \$1,320;
- Class B beer, wine, and liquor (off-sale) – \$2,200;
- special Sunday “on-sale” permit – \$770;
- special Class C beer license – \$50 per day;
- special Class C beer and wine license – \$50 per day; and
- special Class C beer, wine, and liquor license – \$150 per day.

**Local Fiscal Effect:** Prince George's County Board of License Commissioners advises that the bill's provisions are enforceable within existing resources. The board further advises that it is unaware of the number of businesses that would be affected by the bill's provisions.

Future annual license fee revenues could be affected to the extent that an individual would have applied for a previously exempted license in an area within the restricted distance from a church or school.

Assuming the bill applies to the renewal of a previously exempted alcoholic beverages license or Sunday on-sale permit, to the extent that the Prince George's County Board of License Commissioners would not be able to renew a previously exempted license or Sunday on-sale permit to premises within the distance restriction, county license fee revenues could decrease. The net fiscal effect would depend on the number and type of licenses or Sunday on-sale permits the county would no longer be authorized to issue.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Prince George's County, Department of Legislative Services  
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**Fiscal Note History:** First Reader - March 2, 2006  
ncs/hlb

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