

Department of Legislative Services  
Maryland General Assembly  
2009 Session

FISCAL AND POLICY NOTE

House Bill 905  
Economic Matters

(Frederick County Delegation)  
Education, Health, and Environmental Affairs

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Frederick County - 10th Election District - Alcoholic Beverages Licenses -  
Fundraising Events for Nonprofit Organizations

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This bill authorizes the Frederick County Board of License Commissioners to issue a one-day special beer and wine license to a nonprofit organization in the 10<sup>th</sup> election district (Hauvers) for use at a fundraising event for the organization. The bill creates an exception to current statutory prohibitions.

The bill takes effect July 1, 2009.

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Fiscal Summary

**State Effect:** None.

**Local Effect:** Potential minimal increase in Frederick County license fee revenues from the issuance of new licenses. Frederick County indicates that one organization has expressed an interest in obtaining a one-day special beer and wine license.

**Small Business Effect:** None.

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Analysis

**Current Law:** In general, a special or temporary alcoholic beverages license may not be issued if the issuance of a regular alcoholic beverages license of the same class is not authorized by statute. Licenses for the sale of alcoholic beverages may not be issued in

five specified election districts in Frederick County, including the 10<sup>th</sup> election district (Hauvers). The other four election districts with similar prohibitions include the 6<sup>th</sup> (Catoctin), 16<sup>th</sup> (Jackson), 19<sup>th</sup> (Linganore), and 23<sup>rd</sup> (Ballenger).

A special Class C beer and wine license allows the holder to exercise any of the privileges conferred by the respective license class for a period not to exceed seven consecutive days. The license fee for a special Class C beer and wine license is \$10 per day.

**Background:** The Frederick County Board of License Commissioners may issue special licenses to four volunteer fire companies specified in statute, regardless of restrictions on licenses in specific geographic areas of the county. The net proceeds from sales under the licenses are required to be used for equipment purchases, operating expenses, and construction and maintenance of buildings that house emergency equipment.

Chapter 189 of 2006 authorized the Frederick County board to issue a one-day beer, wine, and liquor license to the St. Katherine Drexel Roman Catholic Congregation. The congregation was located within a dry district in the county, and as such was unable to obtain a regular alcoholic beverages license absent the legislation.

Chapters 127 and 128 of 2007 both authorized the Frederick County board to issue a one-day special Class C beer and light wine license and a one-day special Class C beer, wine, and liquor license to Holy Family Catholic Community. Class C beer and light wine licenses and Class C beer, wine, and liquor licenses are not authorized for establishments in the Middletown district in which Holy Family Catholic Community is located. Net proceeds from sales under these licenses were required to fund building construction or be used for charitable purposes.

**Local Fiscal Effect:** Frederick County advises that the 10<sup>th</sup> election district (Hauvers) is in a rural area in the vicinity of Camp David and Cunningham Falls State Park. Frederick County knows of one organization that is interested in obtaining this type of license. The extent to which Frederick County revenues increase depends on the number of licenses issued and the total number of days for which an applicant wishes to obtain a license.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

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

**Fiscal Note History:** First Reader - February 19, 2009  
ncs/mwc

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