

**Department of Legislative Services**  
Maryland General Assembly  
2011 Session

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

House Bill 545

(Montgomery County Delegation)

Economic Matters

Education, Health, and Environmental Affairs

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**Montgomery County - Alcohol Sales - Burtonsville Town Square and Hillandale  
Shopping Center  
MC 2-11**

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This bill authorizes the Montgomery County Board of License Commissioners by unanimous vote to approve applications for alcoholic beverages licenses for restaurant establishments in specified shopping centers in Montgomery County if certain conditions are met. The licenses will authorize the holder to keep for sale and sell alcoholic beverages for on-premises consumption only.

The bill takes effect June 1, 2011.

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**Fiscal Summary**

**State Effect:** None.

**Local Effect:** Montgomery County revenues increase by a maximum of \$12,700 in FY 2011 only and by \$10,400 annually beginning in FY 2012. County expenditures are not affected.

**Small Business Effect:** Potential meaningful for a restaurant that is able to obtain a license.

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**Analysis**

**Bill Summary:** In addition to the board's vote being unanimous, the issuance of the license must not adversely affect nearby schools, churches, youth centers, or the nearest residential community. Although the bill exempts restaurants in these shopping centers from the proximity limitations to schools, places of worship, and youth centers as

specified in statute, the restaurants must otherwise meet any statutory requirements for the license requested.

“Burtonsville Town Square” is the shopping center located in Montgomery County at the northwest corner of MD 198 and US 29a. The “Hillandale Shopping Center” is located in Montgomery County at the northeast corner of MD 650 and Interstate 495.

**Current Law:** Generally, with specified exceptions, the Montgomery County Board of License Commissioners may not issue any license to sell alcoholic beverages 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.

**Background:** The Montgomery County Board of License Commissioners indicates that due to the configuration of the two specified shopping centers, some spaces developed for restaurant use fall within the proximity limits of existing churches or schools and are therefore currently ineligible for an alcoholic beverages license.

**Local Fiscal Effect:** The Montgomery County Board of License Commissioners advises that the bill will result in a maximum of two licenses being issued for each of the two specified shopping centers. The revenues will depend on the number and type of each license that is issued. *For illustrative purposes only*, if four Class B beer, wine, and liquor licenses are issued, annual revenues will increase by \$12,700 in fiscal 2011 only and by \$10,400 annually beginning in fiscal 2012. This represents the \$663 application fee for each license in fiscal 2011 only, a \$2,500 annual license fee for Class B beer, wine, and liquor licenses, and a \$100 renewal fee beginning annually in fiscal 2012.

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### Additional Information

**Prior Introductions:** None.

**Cross File:** None.

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

**Fiscal Note History:** First Reader - February 24, 2011  
mc/hlb Revised - House Third Reader - March 22, 2011

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