

Department of Legislative Services  
Maryland General Assembly  
2012 Session

FISCAL AND POLICY NOTE

Senate Bill 328 (Senator McFadden)

Education, Health, and Environmental Affairs

Economic Matters

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**Baltimore City - 45th Legislative District - Alcoholic Beverages - Landlords -  
Licensed Premises**

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This bill prohibits a landlord from renting out a premises in the 45th legislative district in Baltimore City for the sale of alcoholic beverages if the landlord knows, or has reason to know, that the use violates a certain minimum distance requirement between a licensed premises and a place of worship or school. A violator is guilty of a misdemeanor and on conviction is subject to a maximum fine of \$1,000. The bill does not apply to premises rented out for the sale of alcoholic beverages before the effective date of the bill.

The bill takes effect July 1, 2012.

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**Fiscal Summary**

**State Effect:** Minimal increase in general fund revenues from fines imposed in the District Court. The District Court can handle any increased caseload with existing resources.

**Local Effect:** None.

**Small Business Effect:** Minimal.

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**Analysis**

**Current Law:** In Baltimore City, with certain exceptions, a new license, or removal of an existing license, to sell alcoholic beverages may not be granted in any building located within 300 feet of the nearest point of the buildings of a church or school, although an existing license within such proximity may be renewed or extended for the same

building. The restrictions regarding distance do not apply to the following licenses: (1) except in the 46th legislative district, Class B beer and wine and Class B beer, wine, and liquor; (2) Class C beer and wine; and (3) Class C beer, wine, and liquor. Also, except in the 46th legislative district, the governing body of a church may, in writing, waive the restrictions for any other license with respect to cafes or restaurants that are located within 250 feet of a theater with 300 or more seats that is operated by a nonprofit theater association.

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### **Additional Information**

**Prior Introductions:** HB 1127 passed the House and received a hearing in the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken.

**Cross File:** HB 13 (Delegate Glenn) - Economic Matters.

**Information Source(s):** Baltimore City, Judiciary (Administrative Office of the Courts), Department of Legislative Services

**Fiscal Note History:** First Reader - February 9, 2012  
ncs/hlb

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