

Department of Legislative Services
Maryland General Assembly
2014 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 340

(Calvert County Senators)

Education, Health, and Environmental Affairs

Economic Matters

Calvert County - Alcoholic Beverages - Unlicensed Establishments - Prohibitions

This bill generally prohibits an establishment that is not licensed by the Calvert County Board of License Commissioners from giving, serving, dispensing, keeping, or allowing to be consumed on its premises, or on premises under its control or possession, any alcoholic beverages. However, a volunteer fire department, rescue squad, or emergency medical services organization may conduct up to four events annually on their premises or premises under their control or possession to which individuals may bring and consume alcoholic beverages. A violator is guilty of a misdemeanor and subject to maximum penalties of two years imprisonment and/or a fine of \$10,000.

The bill takes effect July 1, 2014.

Fiscal Summary

State Effect: The criminal penalty provisions of the bill do not have a material impact on State finances or operations.

Local Effect: The Calvert County Board of License Commissioners and local law enforcement units can enforce the bill with existing resources. The criminal penalty provisions of the bill do not have a material impact on local finances or operations.

Small Business Effect: Potential minimal impact to the extent that businesses without alcoholic beverages licenses do not rely solely on allowing customers to consume alcohol.

Analysis

Current Law: In Calvert County, a person who keeps for sale or sells alcoholic beverages and the premises on which alcoholic beverages are kept for sale or sold must be licensed by the Calvert County Board of Licenses Commissioners.

Ten jurisdictions (Baltimore City and Anne Arundel, Baltimore, Cecil, Charles, Dorchester, Frederick, Montgomery, Prince George's, and St. Mary's counties) restrict or prohibit the operation of bottle clubs. These clubs are generally defined as establishments that allow patrons to consume alcoholic beverages that were purchased off premises. A person who violates bottle club provisions is guilty of a misdemeanor and subject to maximum penalties of two years imprisonment and/or a fine of \$10,000 in Baltimore City and Anne Arundel, Baltimore, Charles, Dorchester, Frederick, and Prince George's counties.

Background: Generally, a misdemeanor may be brought in either the District Court or a circuit court, at the discretion of the prosecutor, if the penalty is confinement for three years or more or a fine of \$2,500 or more.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Calvert County, Judiciary (Administrative Office of the Courts), Department of Legislative Services

Fiscal Note History: First Reader - February 19, 2014
mm/lgc Revised - Senate Third Reader - March 17, 2014

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