

Department of Legislative Services
Maryland General Assembly
2016 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 892
Economic Matters

(Harford County Delegation)

Education, Health, and Environmental Affairs

Harford County - Alcoholic Beverages - Movie Theater License

This bill establishes a Class MT (movie theater) beer, wine, and liquor license in Harford County. The Harford County Board of License Commissioners may issue the license to the owner of a movie theater. To be eligible for the license, the owner of a movie theater must provide documentation to the board that the owner has made an investment of at least \$250,000 in the theater. Under the license, beer, wine, and liquor may only be served in single-serve containers from a counter separate from a counter serving candy, popcorn, and nonalcoholic beverages. A movie theater for which a license is issued is subject to a specified alcohol awareness training requirement, and is required to offer food, other than candy and popcorn. The license holder may sell beer and wine for on-premises consumption from 4 p.m. to midnight on the days that the movie theater is open. The annual license fee is \$500.

The bill takes effect July 1, 2016.

Fiscal Summary

State Effect: None.

Local Effect: Potential increase in Harford County revenues due to application fees (\$500 per application) and annual license fees (\$500 per license issued). Harford County can monitor any new licenses with existing resources.

Small Business Effect: Minimal overall, but potential meaningful impact on a movie theater that applies for and receives a license.

Analysis

Current Law: With specified exceptions, in Harford County, an owner, lessee, or user may not knowingly allow the consumption, possession, or transfer of alcoholic beverages in a restaurant, tavern, hotel, club, dance studio, disco, or place of public entertainment if (1) the establishment is not licensed and (2) the establishment is open to the public, licensed by the State, or licensed by a unit of Harford County other than the board. An owner, manager, or employee who knowingly allows the consumption of alcoholic beverages in violation of the statute is guilty of a misdemeanor and on conviction may be fined up to \$1,000.

The prohibition does not apply to the room of a guest in a hotel, motel, or hospice or the property of a (1) volunteer fire company; (2) catering establishment; (3) community or civic association; (4) swim club; (5) social, civic, nonprofit, charitable, fraternal, patriotic, educational, or public service organization; or (6) religious institution that has been in existence for at least three years. The board may exempt other similar places on a case-by-case basis.

Alcohol Awareness Training

Generally, for a premises that is licensed to sell alcoholic beverages with off-sale privileges or a premises that is licensed with on-sale privileges and sells alcoholic beverages directly to a customer from a bar or service bar, the license holder or specified employees must complete training in an approved alcohol awareness program in order to obtain and retain their alcoholic beverages license. Howard, Kent, Montgomery, Washington, and Wicomico counties have stricter requirements, and in those counties, any holder of any class of retail alcoholic beverages license, or an employee designated by the holder, must complete such a training. The training program must be approved and certified by the Comptroller, and it must provide information on how alcohol affects a person's body and behavior, the dangers of drinking and driving, refusing service before a customer becomes intoxicated, and determining if a customer is old enough to legally consume alcohol. The training is valid for four years.

Background: In fiscal 2015, there were 191 alcoholic beverages licenses issued for use in Harford County.

Local Revenues: Harford County revenues increase by \$1,000 for each new license issued due to application fees (\$500) and annual license fees (\$500). Future year revenues only include annual license fees and any renewal fees established by the board. It is unknown how many movie theaters qualify or will apply for licenses in Harford County.

Additional Information

Prior Introductions: None.

Cross File: SB 795 (Senator Jennings, *et al.*) - Education, Health, and Environmental Affairs.

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

Fiscal Note History: First Reader - February 16, 2016
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