

Department of Legislative Services
Maryland General Assembly
2017 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 453

(Senators Young and Hough)

Education, Health, and Environmental Affairs

Economic Matters

Frederick County - Alcoholic Beverages - Restaurants - Average Daily Receipts

This bill requires a licensee in Frederick County to have average daily receipts from the sale of food of at least 40% of the total average daily receipts in order to qualify as a restaurant. The average daily receipts requirement does not apply to sales after 10 p.m.

The bill takes effect July 1, 2017.

Fiscal Summary

State Effect: None.

Local Effect: Frederick County can handle enforcement with existing resources. Revenues are not affected.

Small Business Effect: The bill's provisions will make it easier for many licensees in the county to meet the average daily receipts requirement in order to qualify as a restaurant for purposes of liquor licensing.

Analysis

Current Law: Under State law, "restaurant" means an establishment that (1) accommodates the public; (2) is equipped with a dining room with facilities for preparing and serving regular meals; and (3) has average daily receipts from the sale of food that exceed the average daily receipts from the sale of alcoholic beverages.

A local licensing board may set a different standard as to what constitutes a restaurant by regulation.

Additional Information

Prior Introductions: None.

Cross File: HB 646 (Frederick County Delegation) – Economic Matters.

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

Fiscal Note History: First Reader - February 16, 2017
fn/tso Third Reader - March 8, 2017

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