

**Department of Legislative Services**  
Maryland General Assembly  
2019 Session

**FISCAL AND POLICY NOTE**  
**Third Reader**

House Bill 869

(Howard County Delegation)

Economic Matters

Education, Health, and Environmental Affairs

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**Howard County – Alcoholic Beverages – Marketplace License Ho. Co. 06–19**

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This bill establishes a marketplace license in Howard County. The Howard County Board of License Commissioners may issue the license only to a person, firm, or corporation that owns, manages, or leases the marketplace. The marketplace premises must accommodate the public and be equipped with five or more food service outlets that provide specified seating areas to patrons. The license authorizes a holder to sell beer, wine, and liquor from one or more outlets within the marketplace by the drink or by the bottle, for on-premises consumption. A license holder may also obtain a nonrefillable and refillable container permit to sell draft beer for off-premises consumption. The licensee must meet specified facility and capital investment requirements. The annual license fee is \$6,000. A licensee that provides live entertainment on the premises must pay an additional annual fee of \$500 and an additional annual fee of \$200 if the licensee provides outdoor table service. **The bill takes effect July 1, 2019.**

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**Fiscal Summary**

**State Effect:** None.

**Local Effect:** Howard County revenues increase based on the number of marketplace licenses issued as a result of the bill. Monitoring of any additional licenses issued can be handled using existing resources.

**Small Business Effect:** Minimal.

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## Analysis

**Bill Summary:** The license authorizes the sale and consumption of alcoholic beverages from 8:00 a.m. to 2:00 a.m. the following day.

The marketplace must have (1) a minimum capital investment, excluding the cost of land and buildings, of \$1 million for marketplace facilities; (2) a minimum seating capacity of 75 individuals; (3) average daily receipts from the sale of food of at least 51% of the total daily receipts of the marketplace; and (4) a minimum total capacity of 200 individuals and a maximum capacity of 500 individuals, as determined by the Howard County Department of Fire and Rescue Services.

The licensed property may not sell alcoholic beverages on a day when a ticketed public event is held on the licensed property or an adjacent property if the licensed property or adjacent property have a capacity of at least 4,000 people. The licensed property, however, may sell alcoholic beverages on a day when a ticketed public event is held if the license holder obtains written permission of the promoter of the event before the event takes place.

**Current Law:** Local boards of license commissioners are authorized to issue special alcoholic beverages licenses for specific types of venues. The Comptroller is authorized to issue statewide licenses. The Howard County Board of License Commissioners may issue licenses for conference centers, continuing care retirement facilities, country clubs, golf courses, police officers' local affiliates, racetracks, and veterans' clubs.

### *Nonrefillable and Refillable Container Permits – Draft Beer*

The board may issue nonrefillable and refillable container permits for draft beer to the holder of any class of license except a Class C license and a Class GC license.

**Background:** In fiscal 2018, 277 alcoholic beverages licenses were issued in Howard County.

**Local Fiscal Effect:** Beginning in fiscal 2020, Howard County revenues increase by \$6,000 for each additional marketplace license issued. Revenues could increase further to the extent that license holders pay additional annual fees to provide live entertainment and/or outdoor table service.

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## Additional Information

**Prior Introductions:** None.

**Cross File:** None.

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

**Fiscal Note History:** First Reader - February 14, 2019  
an/tso Third Reader - March 19, 2019

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