

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 791 (Senator Young)
Education, Health, and Environmental Affairs

**Frederick County – Alcoholic Beverages – Class B Licenses – Off-Premises
Consumption**

This bill authorizes and establishes requirements for the sale or delivery of alcoholic beverages for off-premises consumption by specified Class B license holders in Frederick County. The bill also authorizes the holder of a Class B alcoholic beverages license in the Ballenger (23rd) election district of Frederick County to sell beer, wine, and liquor for off-premises consumption, as specified. **The bill takes effect June 1, 2021.**

Fiscal Summary

State Effect: None.

Local Effect: Frederick County can update its policies and regulations with existing resources. Revenues are not affected.

Small Business Effect: Meaningful.

Analysis

Bill Summary: A Class B license that is authorized to sell alcoholic beverages at a restaurant for on-premises consumption or on- and off-premises consumption may sell any alcoholic beverages authorized under its license in a sealed or closed container for off-premises consumption or delivery if (1) the alcoholic beverage is purchased along with prepared food other than prepackaged snacks; (2) the individual purchasing the alcoholic beverage is at least 21 years old, provides valid identification as proof of age, and any documentation required by the board if the sale is for delivery; (3) the license holder has registered and received written authorization from the board to sell alcoholic beverages

authorized under its license for off-premises consumption or delivery; (4) each alcoholic beverage sold for off-premises consumption or delivery is provided in the manufacturer's original sealed container, as specified, and sold or delivered before 11 p.m.; (5) the delivery of an alcoholic beverage is made from the licensed premises only by the license holder or the holder's employee to the individual purchasing the alcoholic beverage; and (6) the alcoholic beverage is not delivered to another premises licensed to sell alcoholic beverage or an address located outside the county.

Current Law: Retail delivery of alcoholic beverages is generally prohibited in the State unless authorized by the local licensing board.

The Class B license in the Ballenger (23rd) election district is for use by luxury-type restaurants, as specified.

A Class B beer, wine, and liquor hotel or restaurant license authorizes restaurants to sell for off-premises consumption alcoholic beverages with an alcoholic content of not more than 14.5%.

Small Business Effect: A small business restaurant that is able to deliver alcoholic beverages in Frederick County under the bill is likely to experience increased sales and revenues.

Additional Information

Prior Introductions: None.

Designated Cross File: HB 1241 (Frederick County Delegation) - Economic Matters.

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

Fiscal Note History: First Reader - February 17, 2021
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