

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 312
Economic Matters

(Delegate Reilly)
Education, Health, and Environmental Affairs

Harford County – Alcoholic Beverages – Assisted Living Program License

This bill establishes a Class ALP (assisted living program) beer, wine, and liquor license in Harford County. The Harford County Board of License Commissioners may issue the license to a manager of an assisted living program that (1) is licensed by the Department of Human Services under § 19-1804.1 of the Health-General Article and (2) may be operated under a management agreement. The annual license fee is \$3,500. **The bill takes effect July 1, 2021.**

Fiscal Summary

State Effect: None.

Local Effect: Harford County revenues increase to the extent Class ALP licenses are issued under the bill. Harford County can handle enforcement activities with existing resources.

Small Business Effect: Minimal.

Analysis

Bill Summary: The board may issue up to five Class ALP licenses to a person. The license authorizes the license holder to:

- provide beer and wine for on-premises consumption by a resident or a guest of a resident of the assisted living program;
- store liquor that has been purchased by a resident in a secure locker that is accessible only to individuals at least 21 years old;

- prepare mixed drinks using liquor that has been purchased by a resident and mixers provided by the resident or license holder; and
- serve liquor that has been purchased by a resident, or a mixed drink that is prepared using a resident's liquor, to a resident or guest of a resident for on-premises consumption.

The license holder may provide or serve beer, wine, and liquor for on-premises consumption on Monday through Sunday, from 8:00 a.m. to 2:00 a.m. the following day.

The license holder must require each individual who serves beer, wine, or liquor on the premises to hold a certificate of completion from an approved alcohol awareness program as described in § 4-505 of the Alcoholic Beverages article.

An employee of the assisted living program who is at least 18 years old may serve alcoholic beverages or assist in preparing mixed drinks.

The license must be applied for by and issued to the manager of the assisted living program.

Specified pecuniary interest requirements, including stock ownership and limited liability company membership interest, do not apply to an applicant for a Class ALP beer, wine, and liquor license.

County laws restricting the issuance of an alcoholic beverages license to an establishment located within a specified distance of a place of worship or school do not apply to the issuance of a Class ALP license.

Current Law: “Assisted living program” means a residential or facility-based program that provides housing and supportive services, supervision, personalized assistance, health-related services, or a combination thereof that meets the needs of individuals who are unable to perform or who need assistance in performing the activities of daily living or instrumental activities of daily living in a way that promotes optimum dignity and independence for the individuals.

Additional Information

Prior Introductions: HB 962 of 2020 passed the House, was referred to the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken. Its cross file, SB 373, passed the Senate, was referred to the House Economic Matters Committee, but no further action was taken.

Designated Cross File: SB 386 (Harford County Senators) - Education, Health, and Environmental Affairs.

Information Source(s): Harford County; Maryland Department of Health; Department of Human Services; Department of Legislative Services

Fiscal Note History: First Reader - February 7, 2021
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