

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 770
Economic Matters

(Delegate Szeliga, *et al.*)

Baltimore County - Alcoholic Beverages - Sale or Delivery for Off-Premises
Consumption

This bill authorizes specified Class B or Class D alcoholic beverages license holders in Baltimore County to obtain a permit from the Baltimore County Board of License Commissioners that authorizes the license holder to sell mixed drinks or cocktails in closed containers for off-premises consumption or delivery, as specified, if the board has adopted regulations authorizing the sale or delivery of alcoholic beverages for off-premises consumption. **The bill takes effect July 1, 2025.**

Fiscal Summary

State Effect: None.

Local Effect: Baltimore County expenditures for license inspections increase by \$29,500 annually beginning in FY 2026. Baltimore County revenues are not affected.

Small Business Effect: Meaningful.

Analysis

Bill Summary:

Sale and Delivery of Mixed Drinks or Cocktails

The board must consider the public health impacts of the sale or delivery of alcoholic beverages for off-premises consumption when considering whether to adopt regulations authorizing the sale or delivery of alcoholic beverages for off-premises consumption under the bill.

The bill applies only to a Class B or Class D license that authorizes the sale of alcoholic beverages for off-premises consumption at a restaurant or bar.

A license holder may obtain a permit from the board that authorizes the holder to sell, if authorized under the holder's license, mixed drinks or cocktails in sealed or closed containers for off-premises consumption or delivery if:

- the mixed drink or cocktail is purchased along with prepared food other than prepackaged snacks;
- the individual purchasing the mixed drink or cocktail is at least 21 years old; provides valid identification as proof of age; and if the sale is for delivery, provides any documentation that the board requires;
- each mixed drink or cocktail sold for off-premises consumption or delivery is (1) provided in the manufacturer's original sealed container or in a container closed with a cap, cork, seal, or lid with no holes for straws or sipping and (2) sold or delivered before 11:00 p.m.;
- the alcoholic beverage delivery is made to the individual purchasing the alcoholic beverage from the licensed premises by the license holder or the holder's employee who is at least 21 years old and certified in an alcohol awareness program; and
- the mixed drink or cocktail is not delivered to another premises licensed to sell alcoholic beverages or an address located outside the county.

The board may not charge a license holder an additional fee for selling or delivering alcoholic beverages under the bill. The board may limit the quantity of alcoholic beverages that may be sold or delivered to an individual in a single transaction.

Current Law:

Generally, Class B licenses are issued to restaurants and allow the sale of alcoholic beverages with food, and Class D licenses are generally issued to bars and taverns and allow the sale of alcoholic beverages without food.

Direct Delivery of Alcoholic Beverages

Generally, State law regulates specific activities of alcoholic beverage license holders including (1) the storage of alcoholic beverages; (2) the certification of license holders; and (3) the conduct of license holders. Statute also regulates the delivery of alcoholic beverages within the State and retail delivery to a purchaser of alcoholic beverages is generally prohibited.

Chapters 774 and 775 of 2024 established a local delivery service permit in jurisdictions where a local licensing board has adopted regulations authorizing the delivery of alcoholic beverages by a third-party contractor, an independent contractor, or an agent. The local delivery service permit holder may deliver alcoholic beverages from a retail license holder authorized to deliver alcoholic beverages to an individual only in the jurisdiction where the retail license holder is located.

Local Effect: Baltimore County advises it will need to hire two additional license inspectors to handle increased enforcement activities under the bill. The county estimates these increased expenditures will total approximately \$29,462 annually, beginning in fiscal 2026.

Small Business Effect: A small business restaurant or bar that is able to deliver alcoholic beverages under the bill is likely to experience increased revenues from the sale of alcoholic beverages.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See HB 637 of 2024.

Designated Cross File: None.

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

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