



Montgomery County

Office of Intergovernmental Relations

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HB 430

DATE: March 31, 2021

SPONSOR: Montgomery County Delegation

ASSIGNED TO: Education, Health, and Environmental Affairs

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POSITION: Support

Montgomery County – Alcoholic Beverages – Seating Requirements MC 11-21

House Bill 430 bill eliminates the minimum and maximum seating requirements for the BWL Community Performing Arts alcoholic beverage license. This license authorizes an entity that owns or leases a performing arts facility used for art classes, banquets, community-related activities, exhibits, live performances, shows, theater productions, visual art shows, and weddings to sell beer, wine, and liquor by the drink for on-premises consumption.

Under current law, the facility is required to have a minimum of 200 seats and a maximum of 1,499 seats in order to qualify for the BWL Community Performing Arts license. This bill would eliminate that requirement and allow additional venues to have the opportunity to obtain this license. VisArts and BlackRock Center for the Arts currently hold this license. In 2019, legislation was enacted to allow these license holders to obtain a special event permit to allow for off-site functions like the pop-up art events in Rockville Town Center.

Removing the seating requirements from this license would allow large venues like the Fillmore and Strathmore to obtain this license. Currently, these venues are required to obtain a Large Performing Arts license which can only be used for “artistic, corporate, and community related activities” and requires: (1) a minimum capital investment not including real property of \$1,000,000; (2) a food facility permit; and (3) 40 seats in a food service area. Since the enactment of the Large Performing Arts license, these venues have expanded the types of events they sponsor and host. The BWL Community Performing Arts license would provide these venues additional flexibility and also allow them to take advantage of the special event permit. Additionally, removing the minimum seating requirement would allow smaller performing arts theaters to obtain this license as well.

Montgomery County supports House Bill 430 and respectfully requests a favorable Committee report.