

Department of Legislative Services  
Maryland General Assembly  
2013 Session

FISCAL AND POLICY NOTE

House Bill 134  
Economic Matters

(Delegate McHale, *et al.*)

Education, Health, and Environmental Affairs

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Alcoholic Beverages - Baltimore City - 46th District - Class B Location  
Restrictions - Limited Exemption

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This bill authorizes the transfer in the 46<sup>th</sup> Legislative District in Baltimore City of a Class B beer, wine, and liquor license or a Class B-D-7 license issued for a property located in the area of the 2800 through 3000 blocks of O'Donnell Street to another location in the same area, if the governing body of each place of worship or school located within 300 feet of the new location waives in writing the current law restrictions against alcoholic beverages licensees being located within that distance from a place of worship or school.

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Fiscal Summary

**State Effect:** None.

**Local Effect:** None. The bill's authorization does not affect Baltimore City's finances or operations.

**Small Business Effect:** It is assumed that the bill could provide a meaningful benefit to a licensee or property in a new location.

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Analysis

**Current Law:** In Baltimore City, with certain exceptions, a new license, or transfer of an existing license, to sell alcoholic beverages may not be granted in any building located within 300 feet of the nearest point of the buildings of a church or school, although an existing license within such proximity may be renewed or extended for the same building. The restrictions regarding distance do not apply to the following licenses:

(1) except in the 46<sup>th</sup> legislative district, Class B beer and wine and Class B beer, wine, and liquor; (2) Class C beer and wine; and (3) Class C beer, wine, and liquor. Also, except in the 46<sup>th</sup> Legislative District, the governing body of a church may in writing waive the restrictions for any other license with respect to cafes or restaurants that are located within 250 feet of a theater with 300 or more seats that is operated by a nonprofit theater association.

No new licenses may be issued within the 46<sup>th</sup> Legislative District.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** SB 233 (Senator Ferguson) - Education, Health, and Environmental Affairs.

**Information Source(s):** Baltimore City, Department of Legislative Services

**Fiscal Note History:** First Reader - February 7, 2013  
ncs/hlb

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