

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 314

(Frederick County Delegation)

Economic Matters

Education, Health, and Environmental Affairs

**Frederick County - Alcoholic Beverages License Applications - Repeal of Petition
of Support - Notice**

This bill repeals a requirement in Frederick County that signers of a petition of support for a local alcoholic beverages license are owners of real estate within 5,000 feet of the potential licensed establishment or, if an insufficient number of persons own real estate within the specified radius, within a radius of the potential licensed establishment that encompasses properties owned by at least 1,000 persons. The bill requires an applicant for a license to post, at least 14 days before the application hearing and in a conspicuous place at the potential licensed establishment, a board-approved notice specifying (1) the class of license for which the applicant is applying and (2) the time, date, and location of the application hearing. **The bill takes effect July 1, 2019.**

Fiscal Summary

State Effect: None.

Local Effect: None. Frederick County can handle the bill's requirements with existing resources.

Small Business Effect: Minimal.

Analysis

Current Law:

Petitions of Support for Alcoholic Beverages License Applications

An application to a local licensing board in the State for an alcoholic beverages license generally must include a petition of support signed by at least 10 residents who own real

estate in and are registered voters of the precinct in which the potential licensed establishment is located. The petition of support must state:

- (1) the length of time a signer has been acquainted with the applicant;
- (2) that a signer has examined the application, believes that the statements made in the application are true, and judges that the applicant is a suitable candidate for licensure; and
- (3) that a signer is familiar with the premises of the proposed licensed establishment and finds the premises suitable for the retail sale of alcoholic beverages.

Notice Requirements for Alcoholic Beverages License Applications

Before a local licensing board in the State may approve an application for an alcoholic beverages license, the local licensing board generally must publish notice of the application two times in two consecutive weeks and in two newspapers of general circulation in the jurisdiction. The notice must contain (1) the name of the applicant; (2) the type of license for which the applicant is applying; (3) the location of the potential licensed premises; and (4) the date, time, and location of the application hearing. The applicant must pay the expenses related to publication of the notice. In Frederick County, the board may fulfill the notice requirement by posting a completed application and all submitted documents online at least 14 days before the application hearing.

Background: According to the Comptroller's Office, in fiscal 2018, there were 329 alcoholic beverages licenses in Frederick County.

Additional Information

Prior Introductions: None.

Cross File: SB 224 (Senators Young and Hough) - Education, Health, and Environmental Affairs.

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

Fiscal Note History: First Reader - February 5, 2019
mag/tso Third Reader - March 19, 2019

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