

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 377
Economic Matters

(Montgomery County Delegation)

Education, Health, and Environmental Affairs

Montgomery County - Alcoholic Beverages - Consumption Only Marketplace License
MC 11-20

This bill establishes a consumption only marketplace license in Montgomery County. The Montgomery County Board of License Commissioners is authorized to issue the license to the developer of a commercial shopping center if the shopping center meets specified criteria. The license authorizes the holder to allow the consumption of beer, wine, and liquor in a designated outdoor area located within the commercial shopping center if the beer, wine, or liquor is purchased at an establishment, as specified. The license holder may allow the consumption of beer, wine, and liquor in a designated outdoor area Monday through Sunday, from 11:00 a.m. to 11:00 p.m. The annual license fee is \$4,000. **The bill takes effect July 1, 2020.**

Fiscal Summary

State Effect: None.

Local Effect: Montgomery County revenues increase to the extent that the bill results in additional alcoholic beverages licenses issued. The county can monitor any additional licenses using existing budgeted resources.

Small Business Effect: Minimal.

Analysis

Bill Summary: The bill defines “shopping center” as any combination of privately owned commercial, professional, or retail establishments where the general public is invited for business purposes.

The board may issue a consumption only marketplace license to the developer of a commercial shopping center if the commercial shopping center (1) encompasses an area of at least 10 acres; (2) includes at least one establishment with a Class B license, Class BD-BWL license, Class D-BWL license, or Class H license; and (3) contains a designated outdoor area for the consumption of alcoholic beverages. The license holder is authorized to allow the consumption of beer, wine, and liquor in a designated area that is located within the commercial shopping center if the beer, wine, or liquor is purchased at an establishment (1) that is located within the commercial shopping center; (2) for which a Class B, Class BD-BWL, or Class H license has been issued; (3) is contiguous to the designated outdoor area; and (4) uses containers branded with an identifying mark of the seller.

As part of the license application, a developer must include a description of the designated outdoor area and a list of the continuous license holders whose alcoholic beverages may be consumed in the outdoor area, as well as a security plan that has been approved by the Montgomery County Department of Police.

Current Law: Generally, a Class B license authorizes the license holder to sell alcoholic beverages for retail at a hotel or restaurant at the place described in the license. A Class BD-BWL license generally authorizes the license holder to sell beer and wine for on- or off-premises consumption, in addition to liquor for on-premises consumption. The holder of a Class BD-BWL license may also hold a Class 7 micro-brewery license. Class H licenses generally authorize the license holder to sell alcoholic beverages at a hotel or restaurant at the place described in the license for on-premises consumption.

Background: Montgomery County advises that there are two developers interested in acquiring a consumption only marketplace license.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

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

Fiscal Note History: First Reader - February 13, 2020
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