

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 1318
Economic Matters

(Delegate Reilly)
Education, Health, and Environmental Affairs

**Harford County – Alcoholic Beverages – Place of Worship Restrictions –
Exemptions and Waivers**

This bill exempts breweries and distilleries in a municipality from the distance restriction prohibiting the issuance of an alcoholic beverages license near a place of worship in Harford County. The bill authorizes the Harford County Board of License Commissioners to waive the distance restriction and issue a license on a case-by-case basis. Before the board decides whether to waive the distance restrictions from a place of worship, a public hearing must be held by the governing body of (1) a municipality, if the establishment is located in a municipality, or (2) a county, if the establishment is located outside the boundaries of a municipality. The appropriate governing body must make a recommendation to the board regarding whether the distance restrictions should be waived. After receiving the recommendation (1) in favor of the waiver, the board must hold a public hearing or (2) to deny a waiver, the board must deny the waiver. When making a decision whether to waive the distance restrictions from a place of worship, the board must take into consideration (1) comments received from members and leaders of the place of worship and (2) comments made at the public hearing held by the board. **The bill takes effect July 1, 2020.**

Fiscal Summary

State Effect: None.

Local Effect: Potential increase in Harford County revenues due to licenses newly issued to previously ineligible establishments. County expenditures are not materially affected.

Small Business Effect: Minimal.

Analysis

Current Law: Generally, the board may not issue a license for an establishment that is within 300 feet of a place of worship. The distance from the establishment to the place of worship is to be measured from the nearest point of the building of the establishment to the nearest point of the building of the place of worship. The board may issue a license for an establishment that is within 300 feet of a place of worship if it is (1) a one-day license for use in a building; (2) a license issued to a hotel, motel, restaurant, club, or caterer in a municipality; or (3) a Class H beer, wine, and liquor license issued to a caterer for use in a banquet facility in an establishment if the construction of the establishment was completed after July 1, 1991, and the establishment is used for emergency operations by a volunteer fire company.

Background: In fiscal 2019, there were 201 alcoholic beverages licenses issued in Harford County.

Additional Information

Prior Introductions: None.

Designated Cross File: SB 377 (Harford County Senators) - Education, Health, and Environmental Affairs.

Information Source(s): Harford County; Comptroller's Office; Department of Legislative Services

Fiscal Note History: First Reader - February 14, 2020
rh/tso Third Reader - March 15, 2020
Revised - Amendment(s) - March 15, 2020

Analysis by: Hillary J. Cleckler

Direct Inquiries to:
(410) 946-5510
(301) 970-5510