

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 430

(Montgomery County Delegation)

Economic Matters

Education, Health, and Environmental Affairs

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

This bill repeals the capacity requirements for an applicant of a BWL Community Performing Arts Facility alcoholic beverages license in Montgomery County. **The bill takes effect July 1, 2021.**

Fiscal Summary

State Effect: None.

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

Small Business Effect: Minimal.

Analysis

Current Law: A “community performing arts facility” is any facility used for art classes, banquets, exhibits, live performances, shows, theater productions, visual arts shows, weddings, and community-related activities.

The board may issue a BWL Community Performing Arts Facility license to an entity that owns or leases a performing arts facility that has (1) a minimum capacity of 200 and (2) a maximum capacity of 1,499. The license authorizes the licensee to, from 9:00 a.m. to 2:00 a.m. the following day, sell beer, wine, and liquor, by the drink, from one or more outlets on the licensed premises, for on-premises consumption. The licensed facility must serve food during the hours in which alcoholic beverages are sold or consumed. The board

may, as a condition for license issuance or renewal, impose restrictions on the areas within the licensed facility where beer, wine, and liquor may be sold, served, possessed, or consumed.

A licensee may contract with a licensed caterer to serve alcoholic beverages and food on the premises.

A single entity may hold no more than three licenses for performing arts facilities in separate locations. The annual fee for a BWL Community Performing Arts Facility license is \$750.

Local Fiscal Effect: As of February 2021, there were five BWL Community Performing Arts Facility alcoholic beverages licenses issued for use in the county. Montgomery County advises that there is one community performing arts facility interested in a BWL Community Performing Arts Facility alcoholic beverages license. The annual license fee is \$750, and there is an initial application fee of \$600 and an annual renewal fee of \$100. Therefore, Montgomery County revenues increase by \$1,350 in fiscal 2022 for each license issued and \$850 in fiscal 2023 and annually thereafter for each license renewal.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

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

Fiscal Note History: First Reader - February 17, 2021
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