

Racial Equity and Social Justice (RESJ) Impact Statement

Office of Legislative Oversight

BILL 13-25: LICENSING AND REGULATIONS GENERALLY – PICNICS, DANCES, SOIREES, AND OTHER ENTERTAINMENT – AMENDMENTS

SUMMARY

The Office of Legislative Oversight (OLO) finds the anticipated racial equity and social justice (RESJ) impact of Bill 13-25 is indeterminate. There is not enough information to determine the racial and ethnic demographics of community members who will be most impacted by this Bill.

PURPOSE OF RESJ IMPACT STATEMENTS

RESJ impact statements (RESJIS) evaluate the anticipated impact of legislation on racial equity and social justice in the County. RESJ is a **process** that focuses on centering the needs, leadership, and power of Black, Indigenous, and other People of Color (BIPOC) and communities with low incomes. RESJ is also a **goal** of eliminating racial and social inequities. Applying a RESJ lens is important to achieve RESJ.¹ This involves seeing, thinking, and working differently to address the racial and social inequities that cause racial and social disparities.²

PURPOSE OF BILL 13-25

Under current County Code, any unlicensed or unpermitted “picnic, dance, soiree, or other entertainment for gain or profit to which the general public is admitted” is prohibited. Those who violate this prohibition can be fined \$25 for each offense.³

Bill 13-25 seeks to increase the fines for unlicensed or unpermitted commercial parties by amending Section 30-1 of the County Code. According to the sponsoring Councilmembers, the Bill aims to curb for-profit house parties in neighborhoods as these are “events that are already illegal according to County zoning but that have proven difficult for County Government to effectively address.”⁴ If enacted, Bill 13-25 would:⁵

- Establish unlicensed or unpermitted commercial picnics, dances, soirees, parties, and other entertainment as a Class A violation;
- Increase the maximum civil violation penalty to \$5,000 when the violation is related to an unlicensed or unpermitted commercial activity occurring at a home;
- Increase the maximum civil violation penalty to \$5,000 for certain code violations associated with an unlicensed or unpermitted commercial activity; and
- Exclude for-profit activities benefitting organizations registered under certain sections of the Internal Revenue Code from the prohibition.

The County Council introduced Bill 13-25, Licensing and Regulations Generally – Picnics, Dances, Soirees, and other Entertainment – Amendments, on May 6, 2025.

OLO builds on the following RESJISs for this analysis:

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- Bill 14-23, Police – Late Night Business Safety Plan, published in March 2023.⁶ Please refer to this RESJIS for background on nightlife, policing, and racial equity.
- Bill 14-24, Vehicle Noise Abatement Monitoring – Pilot Program, published in August 2024.⁷ Please refer to this RESJIS for background on civil fines and racial equity.

ANTICIPATED RESJ IMPACTS

To consider the anticipated impact of Bill 13-25 on RESJ in the County, OLO recommends the consideration of two related questions:

- Who would primarily benefit or be burdened by this bill?
- What racial and social inequities could passage of this bill weaken or strengthen?

OLO identified the following groups who would be impacted by Bill 13-25:

- **Community members who live near unlicensed or unpermitted commercial activities** would benefit from a decrease in nuisances related to these activities if Bill 13-25 works as intended. To approximate the race and ethnicity of these beneficiaries, OLO contacted the Montgomery County Police Department (MCPD) for data on existing violations of Section 30-1. MCPD reported these citations are currently issued as paper tickets and are not tracked electronically. Thus, there was not enough information for OLO to approximate the demographics of these community members.
- **Organizers of unlicensed or unpermitted commercial activities** will be burdened by increased fines for holding these activities or by revenue losses from ceasing the activities if Bill 13-25 works as intended. Given data limitations with MCPD, OLO could not approximate the demographics of event organizers. However, if Black, Indigenous, and other People of Color (BIPOC) are overrepresented among organizers cited for unlicensed or unpermitted commercial activities, this would widen existing racial disparities in civil fines and civic debt.⁸
- **Attendees of unlicensed or unpermitted commercial activities** will be burdened by less entertainment options if Bill 13-25 works as intended. There is not enough information for OLO to approximate the demographics of these community members.

Taken together, OLO finds the anticipated RESJ impact of Bill 13-25 is indeterminate.

RECOMMENDED AMENDMENTS

The Racial Equity and Social Justice Act requires OLO to consider whether recommended amendments to bills aimed at narrowing racial and social inequities are warranted in developing RESJ impact statements.⁹ OLO finds the anticipated RESJ impact of Bill 13-25 is indeterminate. As such, OLO does not offer recommended amendments. However, should the Council seek to improve the RESJ impact of this Bill, OLO offers two policy options for Council consideration:

- **Require data collection and reporting for violations of Section 30-1 by race, ethnicity, and location.** The Council could amend Bill 13-25 to require agencies that are issuing the violation to collect data on the location where the violation is issued and the race and ethnicity of community members receiving the violation. The Council could require the data to be reported annually to monitor if there are racial and ethnic disproportionalities among community members impacted by Bill 13-25 and to consider actions to mitigate any negative RESJ impacts that are identified.

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- **Update reporting on citations in dataMontgomery.** Currently, MCPD reports data on criminal citations in dataMontgomery via the Police Criminal Citations dataset.¹⁰ For each citation issued, this dataset includes the race and ethnicity of the community member who received the citation and the district of occurrence, among other information. This dataset does not reflect all citations issued by MCPD since it excludes citations issued as paper tickets.

To understand racial disparities in different criminal citations, the Council could require MCPD to report on the following data points not currently included in the Police Criminal Citations dataset:

- Citation reason (i.e., specific section of the code the citation is being issued for); and
- Location where citation was issued.

Further, the Council could require MCPD to include citations issued as paper tickets in the dataset. The Council could also require a similar dataset on dataMontgomery for civil citations, which are not currently reported.

CAVEATS

Two caveats to this racial equity and social justice impact statement should be noted. First, predicting the impact of legislation on racial equity and social justice is a challenging analytical endeavor due to data limitations, uncertainty, and other factors. Second, this RESJ impact statement is intended to inform the legislative process rather than determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

¹ Definition of racial equity and social justice adopted from Marlysa Gamblin et al., "[Applying Racial Equity to U.S. Federal Nutrition Programs](#)," Bread for the World and [Racial Equity Tools](#).

² Ibid.

³ [Montgomery County Code § 30-1](#)

⁴ Memorandum from Councilmembers Luedtke and Friedson to Councilmembers: "Bill 13-25, Unlicensed Commercial House Parties," [Introduction Staff Report for Bill 13-25](#), Montgomery County Council, Introduced May 6, 2025.

⁵ Memorandum for Legislative Attorney to County Council, Introduction Staff Report for Bill 13-25.

⁶ [RESJIS for Bill 14-23](#), Office of Legislative Oversight, March 17, 2023.

⁷ [RESJIS for Bill 14-24](#), Office of Legislative Oversight, August 27, 2024.

⁸ Ibid.

⁹ Bill 27-19, Administration – Human Rights – Office of Racial Equity and Social Justice – Racial Equity and Social Justice Advisory Committee – Established, Montgomery County Council

¹⁰ [Police Criminal Citations](#), dataMontgomery.