

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE

House Bill 1444
Economic Matters

(Delegate Valderrama, *et al.*)

Alcoholic Beverages Sales - Prohibition on Use of Self-Scanning Cash Registers

This bill prohibits a retail alcoholic beverages licensee from selling alcoholic beverages by means of a self-scanning cash register, or other automated system operated by a customer on a self-service basis, that is capable of recovering stored information related to the sale price of individual retail items. Violators are guilty of a misdemeanor, and on conviction are subject to up to one year in prison, or a fine of up to \$2,500, or both.

The bill takes effect July 1, 2012.

Fiscal Summary

State Effect: Minimal increase in general fund revenues from fines imposed in District Court cases. Any increase in caseload as a result of the bill can be handled with existing resources. The incarceration penalty is not expected to affect State expenditures.

Local Effect: Minimal increase in local revenues from fines imposed in circuit court cases. The incarceration penalty is not expected to affect local expenditures.

Small Business Effect: None.

Analysis

Current Law/Background: There are no provisions in State law specifically prohibiting the use of self-scanning cash registers for the purchase of alcoholic beverages. However, under the Alcoholic Beverages Article, a licensee or any employee of a licensee may not sell any alcoholic beverage to a person under the age of 21 or to a person who is visibly under the influence of alcohol. A licensee who violates these

prohibitions is guilty of a misdemeanor, unless the licensee can prove that due caution was used (such as through the acceptance of a purchaser's Maryland issued driver's license or identification card, or a U.S. military identification card).

According to the Comptroller's Alcohol and Tobacco Tax Annual Report for fiscal 2011, there were 370 violations of the prohibition on sales to minors or intoxicated persons under the Alcoholic Beverages Article. Of these violations, 351 involved minors and 19 involved sales to intoxicated persons.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Comptroller's Office, Judiciary (Administrative Office of the Courts), Baltimore City, Howard and Montgomery counties, Department of Legislative Services

Fiscal Note History: First Reader - March 21, 2012
ncs/hlb

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