

Department of Legislative Services
Maryland General Assembly
2014 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 495

(Calvert County Senators)

Education, Health, and Environmental Affairs

Economic Matters

Calvert County - Alcoholic Beverages - Premises Inspections and Penalties

This bill *authorizes* the Calvert County Board of License Commissioners, or its designee, to inspect each licensed premises in the county at least once every *six* months, rather than *requiring* the board to inspect each licensed premises in the county at least once every *three* months. The bill also establishes penalties for several types of violations.

The bill takes effect July 1, 2014.

Fiscal Summary

State Effect: The bill does not materially affect State finances or operations.

Local Effect: Potential administrative and operational efficiencies for the Calvert County's Sheriff Office from no longer being required to inspect each licensed premises in the county every three months. The Calvert County Board of License Commissioners can enforce the bill with existing resources. The penalty provisions of the bill do not have a material impact on local finances or operations.

Small Business Effect: None.

Analysis

Bill Summary: The Calvert County Board of License Commissioners may suspend an alcoholic beverages license for any alcoholic beverages violation in the county or, except for bottle club violations, impose a fine of up to \$1,000 for a violation of State law or \$500 for a violation of the rules and regulations of the board. If an alcoholic beverages licensee, or an employee of the licensee, sells alcoholic beverages to a person younger

than age 21, the board, for a first offense, may suspend the license for up to three days and/or impose a fine of up to \$500. For an offense occurring within three years after a prior offense, the board may suspend the license for up to 30 days and/or impose a fine of up to \$1,000. The board must consider the license class and the economic impact the suspension will have on the business of the licensee and employees of the licensee when determining the length of a suspension, and the board must impose fines in accordance with a specified provision of State law. Money collected from the fines must be deposited into Calvert County's general fund.

Current Law: The Calvert County Board of License Commissioners must inspect each licensed premises in the county at least once every three months.

The Comptroller, his duly authorized deputies, inspectors and clerks, the board of license commissioners of the county or the city in which the place of business is located, its duly authorized agents and employees, and any peace officer of such county or city are authorized to inspect and search, without warrant, at all hours, any building, vehicle and premises in which any alcoholic beverages are authorized to be kept, transported, manufactured, or sold under an alcoholic beverages license or permit.

Any person that violates a State law relating to alcoholic beverages in which no penalty, other than the suspension or revocation of a license or permit, is provided, is deemed guilty of a misdemeanor and, upon conviction, is subject to a fine of up to \$1,000 and/or imprisonment for up to two years.

Most boards of license commissioners are authorized to impose fines on a licensee who violates alcoholic beverages laws, but the Calvert County Board of License Commissioners is not authorized to do so.

Background: There are 116 alcoholic beverages licenses in Calvert County. In fiscal 2013, there were 12 retail license violations in Calvert County, 2 of which were for underage possession.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Calvert County, Comptroller's Office, Department of Legislative Services

Fiscal Note History: First Reader - February 19, 2014
mc/lgc Revised - Senate Third Reader - March 17, 2014
Revised - Enrolled Bill - April 14, 2014

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