

## Article - Alcoholic Beverages

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§16–410.

(a) (1) In this section the following words have the meanings indicated.

(2) “Board” means the Comptroller, the boards of license commissioners, or the members of the boards, as appropriate.

(3) “County” means any county and Baltimore City.

(4) “Sheriff” means the sheriff of any county or the Baltimore City Police Department.

(b) (1) For the purpose of all hearings and inquiries which the board is authorized to hold and make, the board may issue summonses for witnesses, and administer to them oaths or affirmations.

(2) (i) All summonses shall be served by the sheriff, except that:

1. In the City of Annapolis, summonses may also be served by the Annapolis Police Department;

2. In Anne Arundel County, summonses may also be served by inspectors employed by the Board and by the Anne Arundel County Police Department;

3. In Baltimore City, summonses may also be served by inspectors employed by the Board of Liquor License Commissioners for Baltimore City;

4. In Cecil County, summonses may also be served by inspectors employed by the Cecil County Board of License Commissioners;

5. In Dorchester County, summonses may also be served by the inspector employed by Dorchester County and assigned to the Board of License Commissioners;

6. In Harford County, summonses may also be served by inspectors employed by the Harford County Liquor Control Board; and

7. In Kent County, summonses may also be served by the inspector employed by the Kent County Board of License Commissioners.

(ii) If any witness summoned refuses or neglects to attend, or if attending, refuses to testify, the official issuing the summons shall report the facts to the circuit court for the county. The court shall proceed by attachment against the witness in all respects as if the witness summoned to appear in the court in a case pending before it had neglected or refused to do so.

(c) (1) This subsection applies in the following counties:

- (i) Anne Arundel County;
- (ii) Baltimore City;
- (iii) Baltimore County;
- (iv) Carroll County;
- (v) Cecil County;
- (vi) Frederick County;
- (vii) Garrett County;
- (viii) Howard County;
- (ix) Prince George's County;
- (x) Wicomico County; and
- (xi) Worcester County.

(2) A board may subpoena any records or papers pertaining to a licensed business or establishment.

(3) If a witness refuses to produce any records or papers so subpoenaed the board shall report the fact to the circuit court for the county, and the court shall proceed by attachment against the witness in all respects as if the refusal had been by a witness summoned to appear in the court in a case pending before it.

(d) (1) This subsection applies only in Anne Arundel County.

(2) The Board shall charge fees for the production and service of a summons. Those fees are:

- (i) \$20 for the production of the summons by the clerk to the Board;
- (ii) \$5 for each address if the service is by mail and the address is provided by the clerk to the Board; or
- (iii) \$30 for each address if the service is by an investigator employed by the Board.

(3) The fees for production and service of a summons may only be assessed against any licensee or party whom the Board has adjudicated responsible for a violation of any law, statute, rule, or regulation concerning alcoholic beverages.

(4) In addition to any other fines, penalties, or costs that may be imposed by the Board, the Board shall assess costs of \$100 against any licensee or party whom it has adjudicated to be responsible for a violation of any law, statute, rule, or regulation concerning alcoholic beverages.

(e) (1) This subsection applies only in Baltimore City.

(2) The Board may charge fees for the production and service of summonses and hearing notices. Those fees are:

(i) \$25 for the production of hearing notices or for summonses requested by parties appearing before the Board;

(ii) \$5 for each address served if the service is by mail and the address is provided to the Board; or

(iii) \$25 for each address served if service is by an employee of the Board.

(3) In addition to any other fines, penalties, or costs that may be imposed by the Board, the Board may assess the fee for the production and service of summonses and hearing notices and a \$100 administrative hearing fee for any licensee whom the Board is charging with violation of any law, statute, rule, or regulation concerning the sale of alcoholic beverages or who is requesting a transfer, expansion, or new license.

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