

**Department of Legislative Services**  
Maryland General Assembly  
2016 Session

**FISCAL AND POLICY NOTE**  
**Third Reader**

House Bill 779

(Delegate Parrott)

Economic Matters

Education, Health, and Environmental Affairs

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**Alcoholic Beverages - Washington County - Local Penalties**

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This bill authorizes the Washington County Board of License Commissioners to issue a fine not exceeding \$200 to an employee of a licensee who sells or provides alcoholic beverages to an individual under the age of 21.

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**Fiscal Summary**

**State Effect:** None.

**Local Effect:** Minimal increase in Washington County fine revenue as a result of fines issued to employees of licensees. County expenditures are not affected.

**Small Business Effect:** Minimal.

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**Analysis**

**Current Law:** In Maryland, a license holder or an employee of the license holder may not sell or provide alcoholic beverages to an individual under the age of 21.

No statute permits or prohibits the board from assessing a penalty against an employee of a licensee. In Washington County, a license holder or an employee who is charged with selling or providing alcoholic beverages to someone under the age of 21 must receive a summons to appear in court to answer the charges but may not be required to post bail pending trial. A license holder or an employee of a license holder may not be found guilty if the license holder or employee can show that they used due caution to establish that the individual was not under the age of 21, and that the individual was not a resident of the

state. Granting of probation before judgment to a license holder or an employee does not bar the board from taking administrative action for the violation.

**Local Revenues:** Local revenues increase by up to \$200 for every fine issued to an employee of a licensee for selling or providing alcoholic beverages to someone under the age of 21. In fiscal 2015, there were 194 alcoholic beverages licenses issued for use in Washington County. The Comptroller's Office reports that there were 19 violations in Washington County in fiscal 2015 relating to the sale of alcoholic beverages to a minor.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** SB 523 (Washington County Senators) - Education, Health, and Environmental Affairs.

**Information Source(s):** Washington County, Department of Legislative Services

**Fiscal Note History:** First Reader - February 16, 2016  
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