

HOUSE BILL 1316

A1

8lr3074

By: **Delegates Kramer and W. Miller**

Introduced and read first time: February 9, 2018

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Task Force to Study State Alcohol Regulation, Enforcement, Safety, and Public**
3 **Health**

4 FOR the purpose of establishing a Task Force to Study State Alcohol Regulation,
5 Enforcement, Safety, and Public Health; providing for the chair and membership of
6 the Task Force; providing for staff for the Task Force; requiring the Task Force to
7 examine whether the State agency that now is assigned the tasks of regulating the
8 State alcoholic beverages industry and enforcing State alcoholic beverages laws is
9 the most appropriate agency to ensure the safety and welfare of the residents of
10 Maryland, or whether those tasks should be assigned to another State agency or a
11 new State agency; requiring the Task Force to review certain issues; requiring the
12 Task Force to report to the General Assembly on or before a certain date; providing
13 for the termination of this Act; and generally relating to the Task Force to Study
14 State Alcohol Regulation, Enforcement, Safety, and Public Health.

15 Preamble

16 WHEREAS, Excessive alcohol consumption is the third leading cause of preventable
17 death in the United States and is a risk factor leading to many health and societal problems;
18 and

19 WHEREAS, Most people who drink excessively are not alcoholics or alcohol
20 dependent; and

21 WHEREAS, The Centers for Disease Control and Prevention (CDC) reports that
22 excessive alcohol use is responsible for approximately 88,000 deaths in the United States
23 each year, including 1,321 deaths in Maryland, and \$5 billion in economic costs in
24 Maryland; and

25 WHEREAS, The CDC reports that alcohol is the most commonly used and abused
26 drug among youth in the United States, excessive drinking is responsible for 4,300 deaths

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 among underage youth each year, people aged 12 to 20 years old drink 11% of all alcohol
2 consumed in the United States, and underage drinkers consume more drinks per drinking
3 occasion than adult drinkers; and

4 WHEREAS, The CDC estimates that 47% of all homicides and 23% of all suicides
5 are attributable to alcohol use; and

6 WHEREAS, Alcohol is the leading drug among Maryland youth, with one in four
7 Maryland high school students reporting drinking in the past month; and

8 WHEREAS, The CDC reports that excessive alcohol use is commonly involved in
9 sexual assault; men consistently have higher rates of alcohol-related deaths and
10 hospitalization than women; among drivers in fatal motor vehicle traffic crashes, men are
11 almost twice as likely as women to have been intoxicated; and excessive alcohol
12 consumption increases aggression and, as a result, can increase the risk of physical assaults
13 on another person; and

14 WHEREAS, The Community Preventive Services Task Force found evidence of a
15 positive association between outlet density and excessive alcohol consumption and related
16 harms sufficient to recommend limiting alcohol outlet density through the use of regulatory
17 authority as a means of reducing or controlling excessive alcohol consumption and related
18 harms; and

19 WHEREAS, It is in the best interest of the public to review all alternatives to
20 discover the entity best suited to ensure the safety and welfare of the residents of Maryland
21 for purposes of regulating and enforcing laws concerning the distribution and sale of all
22 alcohol products in the State; now, therefore,

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
24 That:

25 (a) There is a Task Force to Study Alcohol Regulation, Enforcement, Safety, and
26 Public Health in the State.

27 (b) The Task Force shall consist of:

28 (1) one member of the public, to be appointed by the Governor; and

29 (2) the following members, all to be appointed by the President of the
30 Senate and Speaker of the House of Delegates:

31 (i) one member of the public, who shall serve as chairperson;

32 (ii) the Secretary of Health, or the Secretary's designee;

33 (iii) the Secretary of State Police, or the Secretary's designee;

- 1 (iv) one member of the Maryland Licensed Beverage Association;
- 2 (v) one member representing alcohol manufacturers;
- 3 (vi) one member representing alcohol distributors;
- 4 (vii) one member representing alcohol retailers;
- 5 (viii) one member representing craft brewers;
- 6 (ix) one member representing wineries;
- 7 (x) one member representing local law enforcement agencies;
- 8 (xi) one emergency room doctor;
- 9 (xii) one department of liquor control administrator;
- 10 (xiii) one member representing the medical community;
- 11 (xiv) one member representing Mothers Against Drunk Driving;
- 12 (xv) one member representing the Washington Regional Alcohol
13 Program;
- 14 (xvi) one member of the Senate of Maryland representing the majority
15 party;
- 16 (xvii) one member of the Senate of Maryland representing the minority
17 party;
- 18 (xviii) one member of the House of Delegates representing the majority
19 party; and
- 20 (xix) one member of the House of Delegates representing the minority
21 party.

22 (c) The Department of Legislative Services shall provide staff for the Task Force.

23 (d) (1) The Task Force shall examine whether the State agency that now is
24 assigned the tasks of regulating the State alcoholic beverages industry and enforcing State
25 alcoholic beverages laws is the most appropriate agency to ensure the safety and welfare of
26 the residents of Maryland, or whether those tasks should be assigned to another State
27 agency or to one created specifically to carry out those tasks.

28 (2) In conducting its examination under paragraph (1) of this subsection,
29 the Task Force shall review:

1 (i) Maryland alcohol laws in light of recent changes regarding
2 alcohol production, distribution, and sale;

3 (ii) the public health impact of alcohol in Maryland;

4 (iii) the economic development and employment impact of alcohol in
5 Maryland; and

6 (iv) the enforcement at the State and local level of alcohol regulation
7 and laws, including regulatory systems in other states, and the methods by which State
8 and local enforcement agencies interact.

9 (e) On or before December 1, 2018, the Task Force shall submit a report of its
10 findings and recommendations to the General Assembly, in accordance with § 2-1246 of
11 the State Government Article.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
13 1, 2018. It shall remain effective for a period of 1 year and 1 month and, at the end of June
14 30, 2019, this Act, with no further action required by the General Assembly, shall be
15 abrogated and of no further force and effect.