



ATCC

Alcohol, Tobacco, and Cannabis Commission

Wes Moore
Governor

Aruna K. Miller
Lt. Governor

Jeffrey A. Kelly
Executive Director

February 5, 2026

BILL: SB136 - Collective Bargaining - Alcohol, Tobacco, and Cannabis Commission - Police Officers

COMMITTEE: Finance

POSITION: Favorable with Amendments

Chair Beidle and members of the Senate Finance Committee:

I write on behalf of the Alcohol, Tobacco, and Cannabis Commission (ATCC) to request a **Favorable Report with Amendments for SB136 - Collective Bargaining - Alcohol, Tobacco, and Cannabis Commission - Police Officers.**

SB136 corrects an oversight regarding the ATCC's Field Enforcement Division (FED) agents' ability to participate in collective bargaining. Currently, the ATCC is not listed under the State Personnel and Pensions Article - Sec. 3-102. Certain interpretations of law have suggested that FED agents may not participate in collective bargaining. However, prior to the creation of the ATC in 2019, when FED agents were a part of the Comptroller's Office, they were collectively bargained for and represented by the State Law Enforcement Officers Labor Alliance (SLEOLA).

FED agents retained their bargaining status and rights throughout this agency's transition from the Comptroller's Office in 2019, to our current form as an independent State agency. In its passage of Chapter 12 of 2019, the Maryland General Assembly wisely included uncodified language ensuring that State employees who underwent this transition would not have rights, working conditions, or employment status impacted. Until the beginning of FY26, FED agents enjoyed the benefits of SLEOLA membership, including paying union dues, electing union representatives for the agency, and participating in the SLEOLA health plan.

Upon notice of their ineligibility, ATCC worked with the Department of Budget and Management and SLEOLA to correct this gap in representation. It was determined that the best path forward to restore FED agents' collective bargaining rights was to include them as a collective bargaining group under Sec. 3-102 of the State Personnel and Pensions Article. SB136 accomplishes this feat.

Lastly, it is the ATCC's understanding that there is a sponsor amendment that would change the effective date from October 1, 2026, to July 1, 2026. The ATCC considers this amendment to be technical in nature and would support its inclusion in SB136. A July 1, 2026 effective date would ensure that ATCC's sworn officers impacted by this legislation

would be able to be considered members of SLEOLA during the upcoming collective bargaining cycle.

For these reasons, I respectfully urge the Senate Finance Committee to issue a Favorable Report with Amendments for SB136 - Collective Bargaining - Alcohol, Tobacco, and Cannabis Commission - Police Officers.

Thank you for your consideration and I am available to answer any questions or concerns that you may have related to my testimony on this piece of legislation.

Sincerely,

A handwritten signature in black ink that reads "JA Kelly". The signature is written in a cursive, flowing style.

Jeffrey A. Kelly
Executive Director
Alcohol, Tobacco, and Cannabis Commission of Maryland