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**By: Delegate Walkup**

Introduced and read first time: January 22, 1997

Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2           **Kent County - Alcoholic Beverages**  
3           **(Background Checks)**

4 FOR the purpose of including Kent County among those jurisdictions in which the Board  
5 of License Commissioners is required to obtain certain information regarding new  
6 applicants for alcoholic beverages licenses; requiring confidentiality relating to  
7 background checks; and generally relating to alcoholic beverages in Kent County.

8 BY repealing and reenacting, with amendments,  
9 Article 2B - Alcoholic Beverages  
10 Section 10-103(b)(13)(vi)  
11 Annotated Code of Maryland  
12 (1996 Replacement Volume)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
14 MARYLAND, That the Laws of Maryland read as follows:

15           **Article 2B - Alcoholic Beverages**

16 10-103.

17           (b) Except as otherwise provided in this subtitle, every new application for a  
18 license shall be made to the Board of License Commissioners upon forms prescribed by  
19 the Comptroller and sworn to by the applicant. Every application for a license shall  
20 contain the following statements:

21                   (13) (vi) 1. The provisions of this subparagraph apply only in Cecil  
22 County, Charles County, [and] Dorchester County, AND KENT COUNTY.

23                                   2. The Boards of License Commissioners shall:

24   A. Obtain criminal records of new alcoholic beverages license  
25 applicants from the Criminal Justice Information System Central Repository of the  
26 Department of Public Safety and Correctional Services;

27   B. Require applicants for new alcoholic beverages licenses to be  
28 fingerprinted; and

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1                                   C. Forward the fingerprints through the Criminal Justice  
2 Information System Central Repository of the Department of Public Safety and  
3 Correctional Services for transmittal to the Federal Bureau of Investigation (F.B.I.) for a  
4 national criminal history records check. Applications for license renewal are not subject  
5 to these provisions.

6                                   3. The County Commissioners may set a fee to cover the cost of  
7 obtaining the fingerprints and the Maryland and national criminal history records check.

8                                   4. The Boards shall keep all criminal records in a sealed  
9 envelope available only to the members of the Boards and the Clerks to the Boards. THE  
10 KENT COUNTY BOARD SHALL ADOPT REGULATIONS TO FURTHER PRESERVE THE  
11 CONFIDENTIALITY OF ANY INFORMATION OBTAINED.

12                                  5. The hearing for a new applicant and the issuance of a license  
13 may not be delayed due to the failure of the F.B.I. to provide the requested criminal  
14 history records check by the date of the scheduled hearing.

15                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
16 October 1, 1997.