
By: **St. Mary's County Delegation**

Introduced and read first time: February 11, 1998

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **St. Mary's County - Alcoholic Beverages License Applicants -**
3 **Fingerprinting**

4 FOR the purpose of requiring the St. Mary's County Alcoholic Beverage Board to
5 obtain the criminal record of an applicant for an alcoholic beverages license;
6 requiring the Board to forward fingerprints of an applicant to the Criminal
7 Justice Information System Central Depository in the Department of Public
8 Safety and Correctional Services for State and national criminal history records
9 check; exempting an applicant for a license renewal from the provisions of this
10 Act; authorizing the Board to establish a certain fee; requiring the Board to
11 maintain the confidentiality of all criminal records in its possession; prohibiting
12 the postponement of a hearing date because of a delay in federal processing of
13 the criminal history records check; requiring the Board to adopt regulations to
14 administer this Act; and generally relating to fingerprinting applicants for an
15 alcoholic beverages license in St. Mary's County.

16 BY repealing
17 Article 2B - Alcoholic Beverages
18 Section 10-103(c)
19 Annotated Code of Maryland
20 (1996 Replacement Volume and 1997 Supplement)

21 BY adding to
22 Article 2B - Alcoholic Beverages
23 Section 10-103(c)
24 Annotated Code of Maryland
25 (1996 Replacement Volume and 1997 Supplement)

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

Article 2B - Alcoholic Beverages

10-103.

(c) (1) In St. Mary's County, in addition to the application and certificate requirements provided for under this section, each applicant for an alcoholic beverages license shall be fingerprinted.

(2) The St. Mary's County Board of License Commissioners shall adopt regulations necessary for:

(i) Preserving the confidentiality of any police records required to be secured under this section; and

(ii) Implementing this subsection.]

(C) (1) IN THIS SUBSECTION, "BOARD" MEANS THE ST. MARY'S COUNTY ALCOHOLIC BEVERAGE BOARD.

(2) THIS SUBSECTION APPLIES ONLY IN ST. MARY'S COUNTY.

(3) THE BOARD SHALL:

(I) OBTAIN FROM THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY IN THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES THE CRIMINAL RECORD OF EACH APPLICANT FOR AN ALCOHOLIC BEVERAGES LICENSE;

(II) REQUIRE AN APPLICANT FOR AN ALCOHOLIC BEVERAGES LICENSE TO BE FINGERPRINTED; AND

(III) FORWARD THE FINGERPRINTS TO THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY IN THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES FOR TRANSMITTAL TO THE FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY RECORDS CHECK.

(4) THIS SUBSECTION DOES NOT APPLY TO AN APPLICANT FOR RENEWAL OF AN ALCOHOLIC BEVERAGE LICENSE.

(5) THE BOARD MAY ESTABLISH A FEE TO COVER THE COST OF OBTAINING:

(I) THE APPLICANT'S FINGERPRINTS; AND

(II) THE STATE AND FEDERAL CRIMINAL HISTORY RECORDS CHECK.

(6) THE BOARD SHALL:

(I) KEEP ALL CRIMINAL RECORDS CONFIDENTIAL; AND

1 (II) MAKE ALL CRIMINAL RECORDS IN ITS POSSESSION AVAILABLE
2 ONLY TO BOARD MEMBERS, THE BOARD ADMINISTRATOR, THE BOARD'S ATTORNEY,
3 AND THE BOARD'S INSPECTOR.

4 (7) A HEARING FOR AN APPLICANT FOR AN ALCOHOLIC BEVERAGE
5 LICENSE AND THE ISSUANCE OF A LICENSE MAY NOT BE DELAYED DUE TO THE
6 FAILURE OF THE FEDERAL BUREAU OF INVESTIGATION TO PROVIDE THE
7 REQUESTED CRIMINAL HISTORY RECORDS CHECK BY THE DATE OF THE SCHEDULED
8 HEARING.

9 (8) THE BOARD SHALL ADOPT REGULATIONS TO IMPLEMENT THIS
10 SUBSECTION.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 1998.