

Department of Legislative Services

Maryland General Assembly

2002 Session

FISCAL NOTE

Revised

House Bill 744

(Howard County Delegation)

Economic Matters

Education, Health, and Environmental Affairs

Howard County - Alcoholic Beverages - Background Checks Ho. Co. 4-02

This emergency bill requires the Howard County Board of License Commissioners to conduct background checks on applicants for a new alcoholic beverages license.

Fiscal Summary

State Effect: The total maximum cost of a criminal history record check and fingerprinting is \$52 which includes State and national background checks. This cost would be borne by the applicant. Assuming fewer than 10,000 applicants, State expenditures would not be affected.

Local Effect: None. Any costs for background checks would be passed on to applicants.

Small Business Effect: None.

Analysis

Bill Summary: The Howard County Board of License Commissioners must obtain criminal records of applicants for a new alcoholic beverages license from the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services and the Federal Bureau of Investigation. Applicants are required to be fingerprinted. The bill specifies that applicants for license renewal may be subject to the criminal background check. The bill also specifies that the board must keep criminal records confidential and the criminal records are available only to board members, clerks, administrators, and inspectors of the board. Criminal records may also be available to the members, clerks, administrators, and inspectors of the Howard County Alcoholic

Beverages Hearing Board. The bill also requires the Howard County Board of License Commissioners to destroy all criminal records upon completion of their necessary use.

Current Law: There is no specific provision of law that authorizes the Howard County Board of License Commissioners to conduct a background check on applicants for a new alcoholic beverages license by obtaining criminal records and fingerprints.

Local licensing boards are required to conduct a criminal background check of alcoholic beverages license applicants in Anne Arundel, Calvert, Caroline, Carroll, Cecil, Charles, Dorchester, Frederick, Garrett, Harford, Kent, Montgomery, Prince George's, St. Mary's, Wicomico, and Worcester counties. For applicants in Anne Arundel, Prince George's and Worcester counties, this check pertains only to State records. The other counties require a background check that includes a national criminal history records checks and fingerprinting.

Background: Howard County advises that approximately 360 background checks are conducted annually for any license activity including new licenses, renewals, and transfers. Howard County further advises that the cost of the background check is borne by the applicant's license fees.

The total maximum cost of criminal history record checks and fingerprinting is \$52, which includes State and national background checks. Maryland's Criminal Justice Information System (CJIS) Central Repository is authorized by law to collect the \$18 fee established for Maryland Criminal History Record Checks. There is also normally a \$10 fee for fingerprint cards (\$5 for each hand). The Federal Bureau of Investigation charges a fee of \$24 for a national criminal history record check. The CJIS Central Repository must collect the fee from the applicant, or other payer, and reimburse the FBI through that agency's monthly billing.

Additional Information

Prior Introductions: None.

Cross File: None.

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

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