

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE

Senate Bill 276

(Senator Hughes)

Education, Health, and Environmental Affairs

Economic Matters

Garrett County - Board of License Commissioners - Subpoena Power

This bill authorizes the Garrett County Board of License Commissioners to subpoena any records or papers pertaining to a business or establishment that is licensed for alcoholic beverages. The board is required to report a witness who refuses to produce any records or papers to the Circuit Court of Garrett County. The circuit court is required to proceed by attachment against a witness as if the witness had been summoned to appear in court.

The bill is effective June 1, 2003.

Fiscal Summary

State Effect: None.

Local Effect: Authorizing the Garrett County Board of License Commissioners to subpoena records and papers related to a business or establishment licensed for alcoholic beverages would not directly affect county finances.

Small Business Effect: Minimal.

Analysis

Current Law: The Garrett County Board of License Commissioners is not authorized to subpoena records and papers pertaining to a business or establishment that is licensed for alcoholic beverages.

Boards of license commissioners in Baltimore City and Anne Arundel, Baltimore, Carroll, Howard, Prince George's, Wicomico, and Worcester counties may subpoena records or papers pertaining to a business or establishment licensed for alcoholic beverages. Should a witness refuse or neglect to attend a hearing, refuse to testify at the hearing, or refuse to produce records and papers relating to a licensed business establishment, the individual issuing the summons is required to report this fact to the local circuit court. The local circuit court shall proceed by attachment against the witness as if the neglect or refusal had been by a witness summoned to appear in court.

Background: Garrett County advises that any request for records or papers would only be used to gather information if needed for disciplinary hearings for alcoholic beverages licensees relating to financial interest or ownership of an establishment.

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader - February 18, 2003
ncs/hlb

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