

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE

House Bill 567
Economic Matters

(Delegates Schisler and Eckardt)

Education, Health, and Environmental
Affairs

**Talbot County - Applicants for Alcoholic Beverages Licenses - Criminal History
Records Check**

This emergency bill requires the Talbot County Board of Liquor License Commissioners to conduct background checks on applicants for a new alcoholic beverages license or for a transfer of an existing alcoholic beverages license.

Fiscal Summary

State Effect: The total maximum cost of a criminal history records 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 cost for background checks would be passed on to applicants.

Small Business Effect: None.

Analysis

Bill Summary: The Talbot County Board of Liquor License Commissioners must obtain criminal records of applicants for a new alcoholic beverages license from the Criminal Justice Information System (CJIS) Central Repository of the Department of Public Safety and Correctional Services and the Federal Bureau of Investigation (FBI). Applicants are required to be fingerprinted. The bill specifies that the board may exempt applicants for license renewal from criminal background checks. The bill also specifies that the board

must keep criminal records confidential and the criminal records are available only to board members and their designees.

Current Law: There is no specific provision of law that authorizes the Talbot County Board of Liquor 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, Howard, 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 check and fingerprinting.

Background: Approximately 36 background checks would be conducted annually for applicants for a new license or transfer of an existing license. Talbot County advises that the cost of the background check would be borne by the applicant's license fees.

The total maximum cost of a criminal history records check and fingerprinting is \$52, which includes State and national background checks. Maryland's 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 FBI charges a fee of \$24 for a national criminal history records 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): Talbot County, Department of Public Safety and Correctional Services, Department of Legislative Services

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lc/hlb

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