

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE

Senate Bill 409 (Senator Conway, *et al.*)
Education, Health, and Environmental Affairs

Baltimore City - Alcoholic Beverages - Inspections

This bill prohibits the Baltimore City Police Department and the Baltimore City Sheriff's Office from conducting inspections normally conducted by liquor board inspectors. The bill specifies that the Baltimore City State's Attorney has only the authority to prosecute alcoholic beverages violations in the same manner as prosecution of a criminal case.

The bill takes effect July 1, 2004.

Fiscal Summary

State Effect: None.

Local Effect: Baltimore City finances would not be materially affected.

Small Business Effect: Minimal.

Analysis

Current Law: The Comptroller, his duly authorized deputies, inspectors and clerks, the Board of License Commissioners of the county or the city in which the place of business is located, its duly authorized agents and employees, and any peace officer of such county or city is fully authorized to inspect and search, without warrant, at all hours, any building, vehicle, and premises in which any alcoholic beverages are authorized to be kept, transported, manufactured, or sold under a license or permit issued for alcoholic beverages.

Background: Baltimore City advises that in the past the police department attempted to coordinate inspections of licensed alcoholic beverages establishments with appropriate inspectors from the Comptroller's Office, the city's health and fire departments, and the city's code enforcement personnel. The city advises that the police department no longer performs or coordinates these types of inspections.

Local Fiscal Effect: The Baltimore City Board of Liquor License Commissioners advises that Baltimore City police officers and members of the Baltimore City Sheriff's Office have been writing hundreds of incident reports annually concerning establishments with alcoholic beverages licenses; however, these reports do not deal with violations of alcoholic beverages regulations germane to licenses and typically deal with violations normally handled by the city's health and fire departments and the city's code enforcement personnel. Additionally, incident reports written by police officers and deputy sheriffs require follow-up reports to be written by the board.

The board further advises the city's 18 alcoholic beverages inspectors can perform all their responsibilities without the assistance of the city's police officers and deputy sheriffs. Expressly prohibiting the city's police officers and deputy sheriffs from conducting inspections should not impact city finances.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Baltimore City, Department of Legislative Services

Fiscal Note History: First Reader - February 26, 2004
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