

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE
Revised

House Bill 1027
Economic Matters

(Prince George's County Delegation)

Prince George's County - Shopping Centers - Security
PG 414-06

This bill requires the owner, manager, or operator of specified shopping centers in Prince George's County to provide "mobile security" during all operating hours that provides continuous coverage of at least 75% of the shopping centers' parking areas. Mobile security includes foot and motor vehicle patrolling. "Shopping center" is defined as a grouping of two or more commercial retail uses that: (1) are designed as a commercial group in which the principal use is retail; (2) are under common ownership or control; (3) share a common parking area; and (4) exceed 100,000 square feet. The Commissioner of Labor, Licensing, and Regulation must impose a civil penalty of \$500 per day for each day of violation.

Fiscal Summary

State Effect: General fund revenues could increase minimally beginning in FY 2007 from civil penalties imposed under the bill. Enforcement could be handled with existing resources.

Local Effect: Local enforcement by Prince George's County could be handled with existing resources.

Small Business Effect: Potential significant impact on shopping center owners in Prince George's County that are small businesses for the cost of providing specified security if not currently provided.

Analysis

Current Law/Background: State law does not require security to be provided by owners of local shopping centers. In recent years, several prominent cases around the State have occurred involving murders in parking areas of shopping centers; one such murder occurred in Prince George's County and several occurred in Baltimore County. Baltimore County has adopted a local law requiring the owner, manager, or operator of a shopping center to maintain surveillance devices in a manner to provide coverage of at least 75% of the square footage of the parking areas. A person who violates the Baltimore County law is subject to a civil penalty of \$500 per day for each day of violation.

Based on information from the State Department of Assessments and Taxation on shopping centers in Prince George's County over 100,000 square feet, 53 shopping centers would be affected by this bill.

State Effect: The Department of Labor, Licensing, and Regulation (DLLR) advises that it has no staff available to investigate and enforce the bill's provisions and thus it would need to hire one full-time hour and wage investigator and one half-time assistant Attorney General with salaries and operating costs of \$60,000 in fiscal 2007, which accounts for the bill's October 1, 2006 effective date.

The Department of Legislative Services disagrees with the need to hire additional personnel. The bill's provisions do not specifically require DLLR to actively enforce the shopping center security requirements. Additionally, any active enforcement of the bill would presumably be initially handled by local law enforcement officers and referrals would be made to DLLR for follow-up and fine assessment. The follow-up and fine assessment would logically add to workload but it is not anticipated that the volume of activity would require additional personnel.

To the extent that DLLR imposes civil penalties on persons who violate the provisions of the bill, general fund revenues could increase. Any increase is expected to be minimal.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Prince George's County; Department of Labor, Licensing, and Regulation; Department of Legislative Services

Fiscal Note History: First Reader - February 23, 2006
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