

Department of Legislative Services
Maryland General Assembly
2007 Session

FISCAL AND POLICY NOTE

House Bill 464
Economic Matters

(Prince George's County Delegation)

Prince George's County - Alcoholic Beverages - Unlawful Drinking and Open Containers
PG 307-07

This bill alters the penalties in Prince George's County for drinking an alcoholic beverage and for possessing an open container of an alcoholic beverage in certain public locations. The bill provides that a person convicted of either offense may face up to 30 days in the county detention center.

The bill takes effect July 1, 2007.

Fiscal Summary

State Effect: None.

Local Effect: Potentially significant. Prince George's County expenditures could increase by up to \$2,900 for each individual convicted and sentenced to the maximum incarceration penalty. Revenues will not be affected.

Small Business Effect: None.

Analysis

Current Law: A person who violates State law prohibiting the consumption of an alcoholic beverage or the possession of an open container of an alcoholic beverage in certain public places is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$100.

Unless authorized, a person may not consume an alcoholic beverage or possess an open container in Prince George's County on public property, areas in and around retail shopping centers, on an adjacent parking area or outside area of a retail establishment, or in a vehicle on any of the previously mentioned places. In a public area, authorization is required by the governmental entity with jurisdiction of the property. On private property authorization requires possession and presentation of written consent by the property owner.

"Public property" includes any building, ground, park, street, highway, alley, sidewalk, station, terminal or other structure, road or parking area located on land owned, leased, or operated by this State, a county, a municipality, Washington Suburban Sanitary Commission, Maryland-National Capital Park and Planning Commission, Montgomery County Revenue Authority, or Washington Metropolitan Area Transit Authority.

Local Fiscal Effect: The extent that this bill will result in jail sentences cannot be reasonably estimated. Counties are required to pay the full cost of incarceration for the first 90 days of the sentence, therefore, Prince George's County would have to pay the full cost of any person convicted of these offenses. Per diem operating costs at the Prince George's County detention center is expected to total \$97.30 per inmate in fiscal 2008. Accordingly, Prince George's County expenditures could increase by up to \$2,919 for each individual convicted and sentenced to the maximum incarceration penalty.

Additional Information

Prior Introductions: A similar bill was introduced in the 2006 session as HB 949. The bill was assigned to the House Economic Matters Committee, but was later withdrawn.

Cross File: None.

Information Source(s): Prince George's County, Judiciary (Administrative Office of the Courts), Department of Legislative Services

Fiscal Note History: First Reader - February 15, 2007
ncs/hlb

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