

**Department of Legislative Services**  
Maryland General Assembly  
2009 Session

**FISCAL AND POLICY NOTE**

Senate Bill 232 (Senator Della)  
Education, Health, and Environmental Affairs

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**Baltimore City - Alcohol Awareness Program - Certified Personnel Required at  
Licensed Premises During Hours of Sale**

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This bill requires that, for establishments licensed to serve alcoholic beverages in Baltimore City, the licensee or a supervisory employee be certified by an approved alcohol awareness training program and present during the hours in which alcohol may be sold on the premises. The bill does not alter the current statutory requirements for bottle clubs in Baltimore City.

The bill takes effect July 1, 2009.

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**Fiscal Summary**

**State Effect:** None.

**Local Effect:** Baltimore City can handle any related enforcement with existing resources.

**Small Business Effect:** Potential minimal increase in expenditures for small businesses that need to certify additional employees and choose to pay employee training costs.

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**Analysis**

**Current Law:** A holder of any class of retail alcoholic beverages license or an employee designated by the holder must complete an approved alcohol awareness training program. The training program is valid for four years, at which time the individual must complete a retraining course. Individuals who complete the program are issued certificates of

completion. The holder of a caterer's license in Montgomery County and bottle clubs in Baltimore City are also required to meet alcohol awareness training requirements.

Persons holding temporary alcoholic beverages licenses, Class E (on-sale) steamboat, Class F (on-sale) railroad, and Class G (on-sale) aircraft alcoholic beverages licenses are exempt from this requirement.

### *Presence of Trained Personnel*

In Harford, Howard, Kent, Montgomery, Washington, and Wicomico counties, a certified licensee or supervisory employee must be present during the hours when alcohol may be sold. Class C licensees in Wicomico County are exempt from this requirement. For bottle clubs in Baltimore City, an owner or a supervisory employee certified by an approved alcohol awareness training program must be present during the hours in which alcoholic beverages are served or consumed. A licensee who violates these requirements is subject to a \$100 fine for the first offense, and a maximum fine of \$500, or suspension and/or revocation of the license for each subsequent offense. Local licensing boards are responsible for enforcement of these provisions.

Though State law does not specify whether trained license holders or designated employees in counties not listed above must be on the premises at specified times, local boards may impose similar attendance requirements through county rules and regulations.

**Background:** The Comptroller's Office has approved and certified 19 alcohol awareness programs and 288 alcohol awareness instructors in the State. Licensed alcohol awareness instructors teaching approved classes must comply with program requirements as certified by the Comptroller's Office. Training programs provide instruction on the physical and behavioral effects of alcohol, the dangers of drinking and driving, effective methods to determine if a customer is under the legal drinking age, and responsible service of alcohol to customers.

**Small Business Effect:** According to the Comptroller's Office, some businesses pay for or reimburse employees to attend alcohol awareness training programs, while others require employees to pay their own training expenses. Businesses in Baltimore City that pay for employee training and need to train additional employees may incur additional expenses as a result of this bill. However, these expenses are expected to be minimal. *For illustrative purposes*, the Maryland State Licensed Beverage Association, which purportedly sponsors the leading alcohol awareness training program in the State, charges \$65 (members) or \$75 (nonmembers) per person for training.

## Additional Information

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Baltimore City, Comptroller's Office, Maryland State Licensed Beverage Association, Maryland Restaurant Association, Baltimore County Board of Liquor License Commissioners, Department of Legislative Services

**Fiscal Note History:** First Reader - February 10, 2009  
mcp/mwc

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