

Department of Legislative Services  
Maryland General Assembly  
2009 Session

FISCAL AND POLICY NOTE

Senate Bill 608

(Senators Brinkley and Mooney)

Education, Health, and Environmental Affairs

Economic Matters

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Frederick County - Alcoholic Beverages - Part-Time Inspectors

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This bill authorizes the Frederick County Board of License Commissioners to appoint a maximum of two part-time alcoholic beverages inspectors. The bill specifies qualifications for part-time inspectors and makes part-time inspectors subject to the same prohibitions against conflicts of interest as the full-time alcoholic beverages inspector.

The bill takes effect June 1, 2009.

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Fiscal Summary

**State Effect:** None.

**Local Effect:** Frederick County expenditures increase by an estimated \$46,500 annually beginning in FY 2010. Local revenues are not affected.

**Small Business Effect:** None.

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Analysis

**Bill Summary:** Part-time alcoholic beverages inspectors must be of high moral character and possess a sound reputation for sobriety, honesty, and integrity. Part-time inspectors have the same statutory duties as the full-time alcoholic beverages inspector in Frederick County. The county commissioners set the salary for a part-time inspector; inspectors are also eligible for reimbursement for reasonable expenses within the same parameters as the full-time inspector.

**Current Law:** The Governor appoints the three-member board of license commissioners as well as one alcoholic beverages inspector. This full-time inspector is appointed or removed with the advice and consent of the Senate or, if there is no resident Senator, the consent of the Frederick County delegation of the General Assembly. In addition to devoting full time to the duties of the office, the alcoholic beverages inspector is required to be of high moral character and must possess a sound reputation for sobriety, honesty, and integrity. The inspector serves a five-year term, and may be removed for incompetence, misconduct in the course of performing duties, neglect of duties, or unprofessional conduct in the course of performing duties. An inspector: (1) possesses the powers of a peace officer of the State as they pertain to enforcing the county's alcoholic beverages laws; (2) makes monthly written reports to the board on activities, complaints, and violations; (3) assists the board in enforcing the alcoholic beverages laws; and (4) has any other duties prescribed by the board.

The county commissioners set the inspector's salary, and the inspector is eligible for reimbursement of reasonable expenses. Mileage reimbursement for the inspector is determined using the standard rate set by the county commissioners and does not include travel to and from the inspector's home and office.

**Background:** Frederick County's alcoholic beverages inspector monitors current licensees to verify compliance with rules and regulations and prospective licensees as part of the application process. Frederick County currently has 305 active alcoholic beverages licenses. Licensees are located throughout Frederick County, which has the largest land area of any county in the State. Several counties are authorized to have part-time alcoholic beverages inspectors. While some counties, such as Anne Arundel and Prince George's, have a limit on the number of part-time inspectors the local board of license commissioners may appoint (20 and 32 respectively), other counties such as Cecil are authorized to appoint as many part-time inspectors as necessary.

**Local Expenditures:** Frederick County advises that it would cost \$46,450 per year for the board to hire two additional part-time inspectors. This estimate includes \$34,230 in salary and fringe benefits and \$12,220 in operating expenses.

**Small Business Effect:** Increases in personnel expenditures or administrative costs for the Frederick County Board of License Commissioners do not directly result in increased license fees. Frederick County advises that alcoholic beverages license fees have not changed since 1979.

## **Additional Information**

**Prior Introductions:** SB 888 of 2005 received a hearing in the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken. Its cross file, HB 1504, was referred to the House Rules and Executive Nominations Committee but no further action was taken.

**Cross File:HB 80 (Frederick County Delegation) - Economic Matters.**

**Information Source(s):** Frederick County, Department of Legislative Services

**Fiscal Note History:** First Reader - February 16, 2009  
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