

HOUSE BILL 379

A2

(2lr1352)

ENROLLED BILL

— Judiciary/Education, Health, and Environmental Affairs —

Introduced by **Frederick County Delegation**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Frederick County – Alcoholic Beverages – Citations Issued by Inspectors**

3 FOR the purpose of removing Frederick County from the list of counties whose
4 alcoholic beverages inspectors are prohibited from carrying a weapon when
5 issuing a citation for certain violations; authorizing an alcoholic beverages
6 inspector in Frederick County to carry a firearm under certain circumstances
7 only if the alcoholic beverages inspector is a retired law enforcement officer;
8 clarifying language; and generally relating to alcoholic beverages inspectors in
9 Frederick County.

10 BY repealing and reenacting, with amendments,
11 Article – Criminal Law
12 Section 10–119(b)
13 Annotated Code of Maryland
14 (2002 Volume and 2011 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article – Criminal Law**

4 10–119.

5 (b) (1) A citation for a violation of §§ 10–113 through 10–115 or a violation
6 of § 10–118 of this part may be issued by:

7 [(1)] (I) a police officer authorized to make arrests;

8 [(2)] (II) in State forestry reservations, State parks, historic
9 monuments, and recreation areas, a forest or park warden under § 5–206(a) or (b) of
10 the Natural Resources Article; and

11 [(3)] (III) [in] **SUBJECT TO ~~PARAGRAPHS (2) AND (3)~~ PARAGRAPH**
12 **(2) OF THIS SUBSECTION**, IN Anne Arundel County, Frederick County, Harford
13 County, Montgomery County, and Prince George’s County, and only in the inspector’s
14 jurisdiction, an alcoholic beverages inspector who investigates license violations under
15 Article 2B of the Code [if the inspector:

16 (i) has successfully completed an appropriate program of
17 training in the proper use of arrest authority and pertinent police procedures as
18 required by the board of license commissioners; and

19 (ii) does not carry firearms in the performance of the inspector’s
20 duties].

21 (2) (I) IN ANNE ARUNDEL COUNTY, FREDERICK COUNTY,
22 HARFORD COUNTY, MONTGOMERY COUNTY, AND PRINCE GEORGE’S COUNTY,
23 THE INSPECTOR SHALL SUCCESSFULLY COMPLETE AN APPROPRIATE PROGRAM
24 OF TRAINING IN THE PROPER USE OF ARREST AUTHORITY AND PERTINENT
25 POLICE PROCEDURES AS REQUIRED BY THE BOARD OF LICENSE
26 COMMISSIONERS.

27 ~~(3)~~ (II) IN ANNE ARUNDEL COUNTY, HARFORD COUNTY,
28 MONTGOMERY COUNTY, AND PRINCE GEORGE’S COUNTY, THE INSPECTOR MAY
29 NOT CARRY A FIREARM IN THE PERFORMANCE OF THE INSPECTOR’S DUTIES.

30 (III) IN FREDERICK COUNTY, AN INSPECTOR MAY CARRY A
31 FIREARM UNDER THIS SUBSECTION ONLY IF THE INSPECTOR IS A RETIRED LAW
32 ENFORCEMENT OFFICER.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 July 1, 2012.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.