

Chapter 508

(Senate Bill 439)

AN ACT concerning

Frederick County – Alcoholic Beverages – Citations Issued by Inspectors

FOR the purpose of removing Frederick County from the list of counties whose alcoholic beverages inspectors are prohibited from carrying a weapon when issuing a citation for certain violations; clarifying language; and generally relating to alcoholic beverages inspectors in Frederick County.

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

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

Article – Criminal Law

10–119.

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

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

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

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

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

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

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

(3) IN ANNE ARUNDEL COUNTY, HARFORD COUNTY, MONTGOMERY COUNTY, AND PRINCE GEORGE'S COUNTY, THE INSPECTOR MAY NOT CARRY A FIREARM IN THE PERFORMANCE OF THE INSPECTOR'S DUTIES.

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

Approved by the Governor, May 22, 2012.