

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 437

(Senators Brinkley and Young)

Education, Health, and Environmental Affairs

Economic Matters

**Frederick County - Alcoholic Beverages - Middletown Wine Festival License and
Criminal History Records Checks**

This bill establishes a special Middletown Wine Festival (MWF) alcoholic beverages license in Frederick County. Additionally, the bill establishes standard procedures for the Frederick County Board of License Commissioners to obtain State and national criminal history records from the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services (the Central Repository).

The bill takes effect July 1, 2012.

Fiscal Summary

State Effect: None. The Central Repository provides this information to authorized entities as a part of its regular operations.

Local Effect: Frederick County revenues will increase minimally from the license fees generated from up to two Middletown Wine Festival events per year. Enforcement activities can be handled with existing resources.

Small Business Effect: None.

Analysis

Bill Summary:

Middletown Wine Festival

The Frederick County Board of License Commissioners may issue a special MWF alcoholic beverages license to a holder of a Class 3 winery license or a Class 4 limited winery license. The special MWF license fee is \$20. The MWF license allows a holder to display and sell at retail, within the municipal boundaries of Middletown, wine that is distributed in the State for consumption on or off the premises on the days and hours designated for the Middletown Wine Festival. The primary focus of the Middletown Wine Festival must be the promotion of wine produced in Frederick County.

A holder of a special MWF license is not prohibited from holding another alcoholic beverages license of a different class or nature. Additionally, the Burgess and Commissioners of Middletown must choose the days and locations of the Middletown Wine Festival, but may not hold more than two one-day festivals each year.

Criminal History Records Checks

The bill requires the Central Repository to provide the Frederick County Board of License Commissioners with a revised printed criminal record statement of an alcoholic beverages license holder if information is reported to the Central Repository after the initial criminal history records check is completed. Additionally, the Central Repository is required to stop providing the board with revised statements if the board informs the Central Repository that an individual is no longer an alcoholic beverages license holder.

In addition, the bill details standard procedures for the board to obtain State and national criminal history records checks from the Central Repository, including fingerprinting, application processes and fees, and storage, dissemination, and disposal of reports provided by the Central Repository.

Current Law:

Middletown Wine Festival

The Frederick County Board of License Commissioners is authorized to issue a Class A, B, or C beer license within the municipal boundaries of Middletown. A Class B beer, wine, and liquor license is available only to establishments in this district that derive at least 70% of gross monthly revenue from the sale of food.

Criminal History Records Checks

The Frederick County Board of License Commissioners may obtain criminal records of any alcoholic beverages license applicant from the Central Repository. The board may require an applicant to be fingerprinted and forward these fingerprints to the Central Repository for transmittal to the Federal Bureau of Investigation for a national criminal records check. Applicants for license renewal may not be subject to these provisions.

Background: Frederick County Board of License Commissioners has 296 active alcoholic beverages licensees.

Additional Information

Prior Introductions: None.

Cross File: HB 378 (Frederick County Delegation) - Economic Matters.

Information Source(s): Frederick County, Department of Public Safety and Correctional Services, Department of Legislative Services

Fiscal Note History: First Reader - February 17, 2012
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