

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE
Revised

House Bill 379
Judiciary

(Frederick County Delegation)

Education, Health, and Environmental Affairs

Frederick County - Alcoholic Beverages - Citations Issued by Inspectors

This bill authorizes an alcoholic beverages inspector in Frederick County, provided they are a retired law enforcement officer, to carry a firearm in the course of his/her duties including issuing alcoholic beverages citations for misrepresentation of one's age to obtain alcoholic beverages, the underage possession of alcohol, possession and use of false documentation to obtain alcohol, and the possession or altering the registration form of a keg.

The bill takes effect July 1, 2012.

Fiscal Summary

State Effect: None.

Local Effect: None. The bill is technical in nature and does not materially affect Frederick County finances.

Small Business Effect: None.

Analysis

Current Law: In general, law enforcement agencies issue the citations listed above. However, in Anne Arundel, Frederick, Harford, Montgomery, and Prince George's counties, an alcoholic beverages inspector who investigates alcoholic beverages license violations may issue these citations if the inspector (1) completed a training program about proper use of arrest authority and pertinent police procedures; and (2) does not carry firearms in the course of the inspector's duties.

Background: Frederick County advises that its alcoholic beverages inspector already carries a firearm, and the county has liability insurance in place. The bill would allow the inspector to issue citations while carrying a firearm.

Additional Information

Prior Introductions: HB 1511 of 2009, a similar bill, received a hearing in the House Judiciary Committee, but no further action was taken.

Cross File: SB 439 (Senators Brinkley and Young) - Education, Health, and Environmental Affairs.

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

Fiscal Note History: First Reader - February 13, 2012
mlm/hlb Revised - Enrolled Bill - May 9, 2012

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