

SENATE BILL 819

A2

7lr2650
CF HB 729

By: **Senator Hershey**

Introduced and read first time: February 3, 2017

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Queen Anne's County – Alcoholic Beverages Inspectors – Qualifications, Powers,**
3 **and Duties**

4 FOR the purpose of specifying a certain qualification of an alcoholic beverages inspector in
5 Queen Anne's County; specifying certain powers and duties of an alcoholic beverages
6 inspector in Queen Anne's County, subject to a certain exception; requiring the
7 Queen Anne's County Office of the Sheriff to enforce certain violations; providing
8 that a certain inspector has no power of arrest; requiring a certain inspector to take
9 a certain oath; and generally relating to alcoholic beverages inspectors in Queen
10 Anne's County.

11 BY repealing and reenacting, without amendments,
12 Article – Alcoholic Beverages
13 Section 27–102
14 Annotated Code of Maryland
15 (2016 Volume and 2016 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Alcoholic Beverages
18 Section 27–205
19 Annotated Code of Maryland
20 (2016 Volume and 2016 Supplement)

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

23 **Article – Alcoholic Beverages**

24 27–102.

25 This title applies only in Queen Anne's County.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 27-205.

2 (a) The Board shall appoint an inspector at not less than \$3,000 annually and
3 with a mileage allowance that the County Commissioners determine.

4 **(B) AN INDIVIDUAL MAY NOT QUALIFY OR CONTINUE SERVICE AS AN**
5 **INSPECTOR IF THE INSPECTOR OR ANY MEMBER OF THE INSPECTOR'S IMMEDIATE**
6 **FAMILY HAS A PERSONAL OR FINANCIAL INTEREST, DIRECTLY OR INDIRECTLY, IN A**
7 **LICENSE, LICENSE HOLDER, OR PREMISES LICENSED UNDER THIS ARTICLE.**

8 **[(b)] (C) [The] AN inspector shall [visit and inspect every licensed premises in**
9 **the county at least once every 60 days]:**

10 **(1) INVESTIGATE ALL APPLICANTS FOR A LICENSE OR TRANSFER OF**
11 **A LICENSE;**

12 **(2) INSPECT AT UNANNOUNCED TIMES EVERY LICENSED PREMISES IN**
13 **THE COUNTY AT LEAST ONCE EVERY 60 DAYS;**

14 **(3) EXCEPT AS PROVIDED IN SUBSECTIONS (D) AND (E) OF THIS**
15 **SECTION, ENFORCE ALL ALCOHOLIC BEVERAGES LAWS WITH THE SAME POWER AS A**
16 **LAW ENFORCEMENT OFFICER OF THE STATE;**

17 **(4) INVESTIGATE ALL VIOLATIONS OF THE ALCOHOLIC BEVERAGES**
18 **LAWS AND REPORT THEM TO THE BOARD;**

19 **(5) SUBMIT MONTHLY REPORTS IN WRITING TO THE BOARD OF THE**
20 **INSPECTOR'S ACTIVITIES, SETTING FORTH COMPLAINTS AND LISTING VIOLATIONS**
21 **THAT THE INSPECTOR OBSERVED OR THAT WERE REPORTED TO THE INSPECTOR;**
22 **AND**

23 **(6) CONDUCT COMPLIANCE CHECKS RELATING TO THE SALE OF**
24 **ALCOHOLIC BEVERAGES TO AN INDIVIDUAL UNDER THE AGE OF 21 YEARS IN**
25 **VIOLATION OF § 6-304 OF THIS ARTICLE FOR EVERY LICENSED PREMISES IN**
26 **ACCORDANCE WITH REGULATIONS ADOPTED BY THE BOARD.**

27 **(D) THE OFFICE OF THE SHERIFF SHALL ENFORCE VIOLATIONS OF § 6-304**
28 **OF THIS ARTICLE.**

29 **(E) AN INSPECTOR HAS NO POWER OF ARREST.**

30 **(F) AN INSPECTOR SHALL TAKE THE OATH REQUIRED BY ARTICLE I, § 9 OF**
31 **THE MARYLAND CONSTITUTION.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
2 1, 2017.