

HOUSE BILL 1316

A1

8lr3074

By: ~~Delegates Kramer and W. Miller~~, **W. Miller, and Lisanti**

Introduced and read first time: February 9, 2018

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 13, 2018

CHAPTER _____

1 AN ACT concerning

2 **Task Force to Study State Alcohol Regulation, Enforcement, Safety, and Public**
3 **Health**

4 FOR the purpose of establishing a Task Force to Study State Alcohol Regulation,
5 Enforcement, Safety, and Public Health; providing for the chair and membership of
6 the Task Force; providing for staff for the Task Force; requiring the Task Force to
7 examine whether the State agency that now is assigned the tasks of regulating the
8 State alcoholic beverages industry and enforcing State alcoholic beverages laws is
9 the most appropriate agency to ensure the safety and welfare of the residents of
10 Maryland, or whether those tasks should be assigned to another State agency or a
11 new State agency; requiring the Task Force to review certain issues and make
12 certain recommendations; requiring the Task Force to report to the General
13 Assembly on or before a certain date; providing for the termination of this Act; and
14 generally relating to the Task Force to Study State Alcohol Regulation, Enforcement,
15 Safety, and Public Health.

16 Preamble

17 WHEREAS, Excessive alcohol consumption is the third leading cause of preventable
18 death in the United States and is a risk factor leading to many health and societal problems;
19 and

20 WHEREAS, Most people who drink excessively are not alcoholics or alcohol
21 dependent; and

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.



1 WHEREAS, The Centers for Disease Control and Prevention (CDC) reports that
2 excessive alcohol use is responsible for approximately 88,000 deaths in the United States
3 each year, including 1,321 deaths in Maryland, and \$5 billion in economic costs in
4 Maryland; and

5 WHEREAS, The CDC reports that alcohol is the most commonly used and abused
6 drug among youth in the United States, excessive drinking is responsible for 4,300 deaths
7 among underage youth each year, people aged 12 to 20 years old drink 11% of all alcohol
8 consumed in the United States, and underage drinkers consume more drinks per drinking
9 occasion than adult drinkers; and

10 WHEREAS, The CDC estimates that 47% of all homicides and 23% of all suicides
11 are attributable to alcohol use; and

12 WHEREAS, Alcohol is the leading drug among Maryland youth, with one in four
13 Maryland high school students reporting drinking in the past month; and

14 WHEREAS, The CDC reports that excessive alcohol use is commonly involved in
15 sexual assault; men consistently have higher rates of alcohol-related deaths and
16 hospitalization than women; among drivers in fatal motor vehicle traffic crashes, men are
17 almost twice as likely as women to have been intoxicated; and excessive alcohol
18 consumption increases aggression and, as a result, can increase the risk of physical assaults
19 on another person; and

20 WHEREAS, The Community Preventive Services Task Force found evidence of a
21 positive association between outlet density and excessive alcohol consumption and related
22 harms sufficient to recommend limiting alcohol outlet density through the use of regulatory
23 authority as a means of reducing or controlling excessive alcohol consumption and related
24 harms; and

25 WHEREAS, It is in the best interest of the public to review all alternatives to
26 discover the entity best suited to ensure the safety and welfare of the residents of Maryland
27 for purposes of regulating and enforcing laws concerning the distribution and sale of all
28 alcohol products in the State; now, therefore,

29 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
30 That:

31 (a) There is a Task Force to Study Alcohol Regulation, Enforcement, Safety, and
32 Public Health in the State.

33 (b) The Task Force shall consist of:

34 (1) one member of the public, to be appointed by the Governor; and

35 (2) the following members, all to be appointed by the President of the
36 Senate and Speaker of the House of Delegates:

- 1 (i) one member of the public, who shall serve as chairperson;
- 2 (ii) the Secretary of Health, or the Secretary's designee;
- 3 (iii) the Secretary of State Police, or the Secretary's designee;
- 4 (iv) one member of the Maryland Licensed Beverage Association;
- 5 (v) one member representing alcohol manufacturers;
- 6 (vi) one member representing alcohol distributors;
- 7 (vii) one member representing alcohol retailers;
- 8 (viii) one member representing craft brewers;
- 9 (ix) one member representing wineries;
- 10 (x) one member representing local law enforcement agencies or the
11 National Liquor Law Enforcement Association;
- 12 (xi) one member who is an emergency room doctor or a public health
13 policy researcher with expertise in alcohol policy;
- 14 (xii) one member of the Maryland Public Health Association;
- 15 ~~(xii)~~ (xiii) one department of liquor control administrator;
- 16 ~~(xiii)~~ (xiv) one member representing the medical community;
- 17 ~~(xiv)~~ (xv) one member representing Mothers Against Drunk Driving
18 or a neighborhood coalition working on alcohol policy issues at a local level;
- 19 ~~(xv)~~ (xvi) one member representing the Washington Regional
20 Alcohol Program or the Maryland Chapter of the National Council on Alcoholism and Drug
21 Dependence;
- 22 ~~(xvi)~~ (xvii) one member of the Senate of Maryland representing the
23 majority party;
- 24 ~~(xvii)~~ (xviii) one member of the Senate of Maryland representing the
25 minority party;
- 26 ~~(xviii)~~ (xix) one member of the House of Delegates representing the
27 majority party; and

1 ~~(xix)~~ (xx) one member of the House of Delegates representing the
2 minority party.

3 (c) The Department of Legislative Services shall provide staff for the Task Force.

4 (d) (1) The Task Force shall examine whether the State agency that now is
5 assigned the tasks of regulating the State alcoholic beverages industry and enforcing State
6 alcoholic beverages laws is the most appropriate agency to ensure the safety and welfare of
7 the residents of Maryland, or whether those tasks should be assigned to another State
8 agency or to one created specifically to carry out those tasks.

9 (2) In conducting its examination under paragraph (1) of this subsection,
10 the Task Force shall review:

11 (i) Maryland alcohol laws in light of recent changes regarding
12 alcohol production, distribution, and sale;

13 (ii) the public health impact of alcohol in Maryland;

14 (iii) the economic development and employment impact of alcohol in
15 Maryland; and

16 (iv) the enforcement at the State and local level of alcohol regulation
17 and laws, including regulatory systems in other states, and the methods by which State
18 and local enforcement agencies interact.

19 (3) The Task Force shall make recommendations regarding what
20 additional policies should be implemented and the method for implementing the policies,
21 with regard to:

22 (i) alcohol laws in the State; and

23 (ii) legislative proposals that would expand the availability of
24 alcohol to the public.

25 (e) On or before December 1, 2018, the Task Force shall submit a report of its
26 findings and recommendations to the General Assembly, in accordance with § 2-1246 of
27 the State Government Article.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
29 1, 2018. It shall remain effective for a period of 1 year and 1 month and, at the end of June
30 30, 2019, this Act, with no further action required by the General Assembly, shall be
31 abrogated and of no further force and effect.