

HOUSE BILL 1191

A2

11r0596
CF 11r0589

By: **Howard County Delegation**

Introduced and read first time: February 8, 2021

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 4, 2021

CHAPTER _____

1 AN ACT concerning

2 **Howard County – Alcoholic Beverages – Alcoholic Beverages Inspectors**

3 **Ho. Co. 03–21**

4 FOR the purpose of authorizing an alcoholic beverages inspector to issue a citation in
5 Howard County; requiring an inspector to complete a training program in the use of
6 arrest authority and pertinent police procedures; prohibiting an inspector from
7 carrying a firearm in the performance of the inspector’s duties; requiring the Howard
8 County Police Department to employ certain inspectors, rather than requiring the
9 Chief of the County Police Department to provide a sworn member of the County
10 Police Department as an inspector; requiring the Chief of the County Police
11 Department to have certain authority over the hiring of inspectors; and generally
12 relating to alcoholic beverages in Howard County.

13 BY repealing and reenacting, without amendments,
14 Article – Alcoholic Beverages
15 Section 23–102
16 Annotated Code of Maryland
17 (2016 Volume and 2020 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – Alcoholic Beverages
20 Section 23–207(d)
21 Annotated Code of Maryland
22 (2016 Volume and 2020 Supplement)

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 BY repealing and reenacting, without amendments,
2 Article – Criminal Law
3 Section 10–119(a)
4 Annotated Code of Maryland
5 (2012 Replacement Volume and 2020 Supplement)

6 BY repealing and reenacting, with amendments,
7 Article – Criminal Law
8 Section 10–119(b)
9 Annotated Code of Maryland
10 (2012 Replacement Volume and 2020 Supplement)

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

13 **Article – Alcoholic Beverages**

14 23–102.

15 This title applies only in Howard County.

16 23–207.

17 (d) (1) Personnel needed to carry out the duties of the Hearing Board and the
18 Board of License Commissioners shall be:

19 (i) included in the staff of the County Council; and

20 (ii) supervised by the County Council Administrator.

21 (2) (I) The [Chief of the] County Police Department shall [provide a
22 sworn member of the County Police Department as an inspector] **EMPLOY INSPECTORS**
23 to assist the Hearing Board and the Board of License Commissioners in carrying out their
24 responsibilities and in enforcing the law.

25 (II) **AN INSPECTOR WHO INVESTIGATES A LICENSE VIOLATION**
26 **MAY ISSUE A CIVIL CITATION AS PROVIDED IN § 10–119 OF THE CRIMINAL LAW**
27 **ARTICLE.**

28 (III) **THE CHIEF OF THE COUNTY POLICE DEPARTMENT SHALL**
29 **HAVE FINAL SELECTION AUTHORITY OVER THE HIRING OF THE INSPECTORS.**

30 (3) An employee of the Hearing Board or the Board of License
31 Commissioners is subject to the public ethics laws of the county.

Article – Criminal Law

10–119.

(a) (1) A person shall be issued a citation under this section if the person violates:

(i) §§ 10–113 through 10–115 or § 10–118 of this part; or

(ii) § 6–321 or § 6–322 of the Alcoholic Beverages Article.

(2) A minor who violates § 10–116 or § 10–117(a) of this part shall be issued a citation under this section.

(b) (1) A citation for a violation of §§ 10–113 through 10–115 or a violation of § 10–118 of this part or § 6–321 or § 6–322 of the Alcoholic Beverages Article may be issued by:

(i) a police officer authorized to make arrests;

(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

(iii) subject to paragraphs (2) and (3) of this subsection, in Anne Arundel County, Frederick County, Harford County, **HOWARD COUNTY**, Kent County, Montgomery County, Prince George’s County, and Talbot County, and only in the inspector’s jurisdiction, an alcoholic beverages inspector who investigates license violations under the Alcoholic Beverages Article.

(2) In Anne Arundel County, Frederick County, Harford County, **HOWARD COUNTY**, Kent County, Montgomery County, Prince George’s County, and Talbot 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, **HOWARD COUNTY**, Kent County, Montgomery County, Prince George’s County, and Talbot 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, 2021.