

Department of Legislative Services  
Maryland General Assembly  
2023 Session

FISCAL AND POLICY NOTE  
Third Reader

House Bill 1165  
Economic Matters

(Delegate Wilson)

Finance

---

**Alcohol and Tobacco Commission – Technical Corrections and Clarifications**

---

This bill makes numerous technical changes, including updating obsolete references to the previous authority of Comptroller’s Office to reference the authority of the Executive Director of the Alcohol and Tobacco Commission (ATC). The bill makes changes to specify concurrent enforcement and regulatory authority over matters related to alcohol and tobacco in the State. The bill also repeals an obsolete reference to alcoholic beverage tax stamps. **The bill takes effect July 1, 2023.**

---

**Fiscal Summary**

**State Effect:** None. The bill codifies existing practices.

**Local Effect:** The bill does not affect local government operations or finances.

**Small Business Effect:** None.

---

**Analysis**

**Current Law:**

*Alcohol and Tobacco Commission’s Duties – Generally*

Chapter 12 of 2019 established ATC, beginning June 1, 2020, and transferred personnel, powers, duties, and responsibilities that relate to the regulation of alcoholic beverages and tobacco from the Comptroller’s Office (specifically the Field Enforcement Division (FED)) to ATC. Chapter 12 specified that all duties and responsibilities associated with FED’s alcoholic beverages and tobacco regulation functions must continue under ATC. Employees transferred under Chapter 12 retain any merit system and retirement status they

may have on the date of transfer and must be transferred without any change or loss of pay, working conditions, benefits, rights, or status. Furthermore, Chapter 12 specified that files, furniture, fixtures, records, other properties, credits, liabilities, and obligations are retained by the appropriate entity under the transfer.

Generally, ATC must (in addition to other powers and duties transferred from the Office of the Comptroller by Chapter 12):

- educate the public, by resource sharing and serving as an information clearinghouse, about specified topics related to the use of tobacco products and the consumption of alcoholic beverages;
- subject to federal approval, ensure that all alcoholic beverages sold in the State with an alcohol content exceeding 4.5% by volume bear a large and conspicuous label stating the percentage of alcohol content;
- conduct studies of the operation and administration of similar laws in other states or countries and federal laws that may affect the State's alcoholic beverages or tobacco industries, as specified; and
- develop best practices for various topics related to alcoholic beverages regulation, including the reporting of aggregate data between local police and local licensing boards, the development of a public health impact statement for all changes to the State alcoholic beverages laws, and carrying out compliance checks for alcoholic beverages licensees at least once each year.

---

### **Additional Information**

**Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** None.

**Information Source(s):** Alcohol and Tobacco Commission; Department of Legislative Services

**Fiscal Note History:** First Reader - February 17, 2023  
js/tso Third Reader - March 20, 2023

---

Analysis by: Donovan A. Ham

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510