

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
Enrolled - Revised

House Bill 784

(Prince George's County Delegation)

Economic Matters

Finance

Prince George's County - Alcoholic Beverages - Class B and Class C Beer, Wine,
and Liquor Licenses, Inspections, Penalties, and Workgroup
PG 302-23

This bill establishes a framework for inspections of licensed premises performed by or on behalf of the Prince George's County Board of License Commissioners, as specified. The bill establishes a Workgroup to Study Best Practices for Safe Event Promotion and the Leveraging of Alcoholic Beverages Licenses in Prince George's County. The bill also requires the board to establish a standard fine structure for violations of alcoholic beverages laws, as specified, and clarifies a Class B beer, wine, and liquor license holder, a Class C (fraternal/sororal/service organization) beer, wine, and liquor license holder, and a Class C (veterans' organization or club) beer, wine, and liquor license holder may serve beer, wine, and liquor *by the glass or by the bottle* for on-premises consumption. **The bill takes effect July 1, 2023. The provisions pertaining to the workgroup terminate June 30, 2025.**

Fiscal Summary

State Effect: None.

Local Effect: The bill is not anticipated to materially affect Prince George's County revenues. Prince George's County can likely handle the bill's requirements with existing budgeted resources.

Small Business Effect: Minimal.

Analysis

Bill Summary/Current Law:

Inspections of Licensed Premises

Under current law, a local licensing board, an authorized agent of the licensing board, or a peace officer may inspect and search a building, vehicle, or premises where alcoholic beverages are authorized to be kept, transported, manufactured, or sold under a license or permit, as specified.

Under the bill, the board or person on behalf of the board may conduct an inspection of a licensed premises with or without prior notification to (1) aid the board in any matter pertaining to alcoholic beverages; (2) conduct background investigations and criminal history records checks on license applicants; (3) make routine inspections of licensed establishments in the county to ensure that they comply with all appropriate State laws, restrictions, and board rules and regulations; (4) coordinate information with other appropriate agencies; (5) take appropriate action on any written report of violations forwarded by a uniformed officer of a municipal or county police department, the Maryland-National Capital Park Police, or the State police; (6) investigate complaints made against a licensed establishment; and (7) initiate covert inspections and investigations of licensed establishments that may be necessary to ensure compliance or to prove or disprove alleged violations.

The inspector must provide the license holder and the board with an inspection report within five days of an inspection. Covert inspections and investigations of licensed establishments are exempt from this requirement.

By December 31 each year, the board must publish on the board's website a list of the total inspections conducted of each licensed premises by the board during the prior calendar year.

Unless an inspection is performed on the board's behalf and does not relate to health and safety, the above does not apply to inspections conducted by a police department, a fire department or fire inspector, or a health department.

Fine Structure

Under the bill, the board must establish a standard fine structure for violations of the Alcoholic Beverages Article that gives the board flexibility to consider aggravating or mitigating factors when determining the amount of a fine.

The board must publish monthly and maintain on its website (1) a list of penalties for violations and (2) the standard fine structure, as specified.

Workgroup to Study Best Practices for Safe Event Promotion and the Leveraging of Alcoholic Beverages Licenses in Prince George's County

The workgroup is comprised of several members, including the Chair of the Prince George's County Senate Delegation, the Chair of the Prince George's County House Delegation, the Chair of the Prince George's County Council, the Prince George's County State's Attorney, the Chair and the Director of the Prince George's County Board of License Commissioners, and specified local members as appointed by the Chair of the Prince George's County House Delegation or the Prince George's County Executive. Members may not receive compensation but are entitled to reimbursement for expenses under standard State travel regulations.

The workgroup must (1) identify any current barriers to safe event promotion in the county, (2) identify available options for safe event promotion activities and restrictions; (3) review current and previous practices of event promotion; (4) make recommendations on best practices for safe event promotion and the feasibility of permitting event promoters in the county; and (5) examine how other counties leverage alcoholic beverages licenses to generate revenue.

By December 1, 2024, the workgroup must submit a report with recommendations to the Chair of the Prince George's County Council, the Prince George's County Executive, the Chair of the Prince George's County Senate Delegation and the Chair of the Prince George's County House Delegation. The workgroup may establish a sub-workgroup to assist in performing the workgroup's duties, including conducting research and producing reports. The sub-workgroup may include an individual who is not a member of the workgroup, such as a representative of a relevant expert.

Additional Information

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

Designated Cross File: None.

Information Source(s): Prince George's County; Department of Legislative Services

Fiscal Note History:
rh/tso

First Reader - February 19, 2023
Third Reader - March 23, 2023
Revised - Amendment(s) - March 23, 2023
Enrolled - April 20, 2023
Revised - Amendment(s) - April 20, 2023

Analysis by: Jamiko S. Rose

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