

HOUSE BILL 85

A2

0lr0981

By: **Delegates Impallaria, Johnson, Lisanti, and McComas**

Introduced and read first time: January 13, 2020

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Harford County – Alcoholic Beverages – Inspectors**

3 FOR the purpose of prohibiting alcoholic beverages inspectors in Harford County from
4 inspecting certain property of a license holder or imposing a fine on a license holder
5 for refusing to cooperate with an inspection; and generally relating to the powers of
6 alcoholic beverages inspectors in Harford County.

7 BY repealing and reenacting, without amendments,

8 Article – Alcoholic Beverages

9 Section 22–102

10 Annotated Code of Maryland

11 (2016 Volume and 2019 Supplement)

12 BY repealing and reenacting, with amendments,

13 Article – Alcoholic Beverages

14 Section 22–207

15 Annotated Code of Maryland

16 (2016 Volume and 2019 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

18 That the Laws of Maryland read as follows:

19 **Article – Alcoholic Beverages**

20 22–102.

21 This title applies only in Harford County.

22 22–207.

23 (a) (1) Subject to paragraph (2) of this subsection, the Board shall employ one

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 full-time chief inspector and as many other inspectors as the Board determines are
2 required.

3 (2) The Sheriff, a deputy sheriff, or a municipal peace officer in the county
4 may not be appointed or serve as the chief inspector or as an inspector.

5 (b) (1) When appointed, the chief inspector shall have had investigative
6 experience as:

7 (i) a police officer;

8 (ii) an inspector for a governmental unit; or

9 (iii) an investigator for a private agency.

10 (2) With the approval of the Board, the chief inspector may contract with
11 or hire an independent accounting firm to audit the books and accounts of any license
12 holder.

13 (3) (i) After appointment, the chief inspector may be discharged only
14 for cause involving dishonesty, incompetence, or immoral conduct, subject to subparagraph
15 (ii) of this paragraph.

16 (ii) Before a chief inspector is discharged, the chief inspector shall be
17 given a list of the charges against the chief inspector and an opportunity to reply to the
18 charges in a public hearing in person or by counsel.

19 (c) The Board may establish reasonable compensation for the chief inspector and
20 any other inspector and, when warranted by their respective duties, change their
21 compensation.

22 (d) Inspectors may:

23 (1) serve a summons under § 22-2604 of this title; and

24 (2) issue civil citations as provided in § 22-2605 of this title.

25 **(E) INSPECTORS MAY NOT:**

26 **(1) INSPECT ANY PROPERTY OF A LICENSE HOLDER THAT IS SUBJECT**
27 **TO AN INSPECTION BY A COUNTY AGENCY THAT ISSUES A PERMIT REQUIRED TO BE**
28 **OBTAINED BY THE LICENSE HOLDER; OR**

29 **(2) IMPOSE A FINE ON A LICENSE HOLDER FOR REFUSING TO**
30 **COOPERATE WITH AN INSPECTION.**

1 ~~[(e)]~~ **(F)** This section does not relieve the peace officers specified in § 6–205 of
2 this article from the responsibility to enforce this article in the county.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
4 1, 2020.