

# SENATE BILL 439

A2

2lr2858  
CF HB 379

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By: **Senators Brinkley and Young**

Introduced and read first time: February 2, 2012

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable

Senate action: Adopted

Read second time: March 7, 2012

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Frederick County – Alcoholic Beverages – Citations Issued by Inspectors**

3 FOR the purpose of removing Frederick County from the list of counties whose  
4 alcoholic beverages inspectors are prohibited from carrying a weapon when  
5 issuing a citation for certain violations; clarifying language; and generally  
6 relating to alcoholic beverages inspectors in Frederick County.

7 BY repealing and reenacting, with amendments,  
8 Article – Criminal Law  
9 Section 10–119(b)  
10 Annotated Code of Maryland  
11 (2002 Volume and 2011 Supplement)

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

14 **Article – Criminal Law**

15 10–119.

16 (b) **(1)** A citation for a violation of §§ 10–113 through 10–115 or a violation  
17 of § 10–118 of this part may be issued by:

18 **[(1)] (I)** a police officer authorized to make arrests;

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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            [(2)] (II) in State forestry reservations, State parks, historic  
2 monuments, and recreation areas, a forest or park warden under § 5–206(a) or (b) of  
3 the Natural Resources Article; and

4            [(3)] (III) [in] **SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS**  
5 **SUBSECTION, IN Anne Arundel County, Frederick County, Harford County,**  
6 **Montgomery County, and Prince George’s County, and only in the inspector’s**  
7 **jurisdiction, an alcoholic beverages inspector who investigates license violations under**  
8 **Article 2B of the Code [if the inspector:**

9                            (i) has successfully completed an appropriate program of  
10 training in the proper use of arrest authority and pertinent police procedures as  
11 required by the board of license commissioners; and

12                            (ii) does not carry firearms in the performance of the inspector’s  
13 duties].

14            **(2) IN ANNE ARUNDEL COUNTY, FREDERICK COUNTY, HARFORD**  
15 **COUNTY, MONTGOMERY COUNTY, AND PRINCE GEORGE’S COUNTY, THE**  
16 **INSPECTOR SHALL SUCCESSFULLY COMPLETE AN APPROPRIATE PROGRAM OF**  
17 **TRAINING IN THE PROPER USE OF ARREST AUTHORITY AND PERTINENT POLICE**  
18 **PROCEDURES AS REQUIRED BY THE BOARD OF LICENSE COMMISSIONERS.**

19            **(3) IN ANNE ARUNDEL COUNTY, HARFORD COUNTY,**  
20 **MONTGOMERY COUNTY, AND PRINCE GEORGE’S COUNTY, THE INSPECTOR MAY**  
21 **NOT CARRY A FIREARM IN THE PERFORMANCE OF THE INSPECTOR’S DUTIES.**

22            SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
23 July 1, 2012.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.