



HOUSE BILL 99: Transfer ALE.

2019-2020 General Assembly

Committee:	House Alcoholic Beverage Control. If favorable, re-refer to Judiciary. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	April 16, 2019
Introduced by:	Reps. McNeill, Boles	Prepared by:	Jennifer H. Bedford
Analysis of:	PCS to First Edition H99-CSTT-15		Staff Attorney

OVERVIEW: *The PCS for House Bill 99 would create the Alcohol Law Enforcement Division, a separate division of the Department of Public Safety, and expand the jurisdiction of Alcohol Law Enforcement agents.*

[As introduced, this bill was identical to S78, as introduced by Sens. Sanderson, Britt, Horner, which is currently in Senate Judiciary.]

CURRENT LAW AND BACKGROUND: Alcohol Law Enforcement (ALE) is the lead enforcement agency for the State's alcoholic beverage control, lottery, and tobacco laws. ALE has been a branch agency of the State Bureau of Investigation (SBI) since 2014.

BILL ANALYSIS:

Section 1 of the PCS would relocate the ALE Branch of the SBI to a new Division of the Department of Public Safety (DPS).

Section 2 of the PCS would create the ALE Division of the DPS.

Section 3 of the PCS would repeal the existing law that established the ALE Branch within the SBI.

Section 4 of the PCS would:

- Authorize the Secretary of the DPS to appoint and supervise the Director of the ALE Division of the DPS.
- Allow the Director of the ALE Division to hire, appoint, transfer, supervise, and fire personnel within the new Division.

Section 4 of the PCS would also expand the jurisdiction of ALE agents to include any criminal offense:

- At a location related to a permit issued by the Alcoholic Beverage Control Commission (ABC) or the Education Lottery Commission.
- Encountered by an ALE agent acting on behalf of the ABC Commission or the Education Lottery Commission.
- Encountered while an ALE agent is carrying out a duty assigned by the ALE Division or by law.
- Occurring in the presence of an ALE agent.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578

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- Occurring while an ALE agent is assisting another law-enforcement agency.

Section 4 of the PCS would also expand the primary responsibilities of an ALE agent to include violations of the lottery and gaming laws, and the bingo and raffle laws.

Sections 5-10 of the PCS would make conforming changes.

EFFECTIVE DATE: This act would become effective July 1, 2019.