

## **HARFORD COUNTY (MD) LIQUOR CONTROL BOARD**

### **PROPOSED LEGISLATION – 2026**

#### **ADDITION TO TITLE 22. SUBTITLE 26. ENFORCEMENT**

##### **2604. SERVICE OF SUMMONS**

##### **2604.1 SUBPOENA RECORDS**

**Purpose:** Currently Section 6-204, which applies to all licensing boards, gives the HCLCB the ability to summons witnesses for hearings. However, the HCLCB currently has no statutory authority to subpoena records from its licensees. Numerous other jurisdictions have the ability to subpoena records including Baltimore County, Cecil County, Carroll, Frederick, Garrett, Wicomico, Worcester, PG County, Howard, Anne Arundel and Baltimore City. The proposed statute for the HCLCB is patterned after Anne Arundel County and Baltimore City's statutes that address the collection of fees.

The proposed statutory reference is proposed to be placed after the statute "service of summons" which allows the Board inspector to serve a summons in addition to the Sheriff.

#### **ALCOHOLIC BEVERAGES**

#### **DIVISION II. PROVISIONS AFFECTING INDIVIDUAL JURISDICTIONS**

#### **TITLE 22. HARFORD COUNTY SUBTITLE 26. ENFORCEMENT**

#### **2604 SERVICE OF SUMMONS**

#### **§ 22-2604.1 - AUTHORITY OF BOARD TO SUBPOENA RECORDS**

- (a) **THE BOARD MAY ISSUE A SUBPOENA COMPELLING THE PRODUCTION OF RECORDS PERTAINING TO A LICENSED ESTABLISHMENT. THE ISSUANCE OF A SUBPOENA FOR RECORDS IS RESERVED SOLELY FOR THE BOARD. SUBPOENAS FOR RECORDS WILL NOT BE ISSUED AT THE REQUEST OF A LICENSEE, PROSPECTIVE LICENSEE OR ANY OTHER THIRD PARTY, UNLESS THE BOARD ELECTS TO ADOPT SUCH REQUEST AS ITS OWN**
- (b) **(1) THE BOARD MAY PETITION THE CIRCUIT COURT FOR AN ORDER TO COMPEL PRODUCTION IF A PERSON REFUSES TO PRODUCE A SUBPOENAED RECORD.**  
**(2) IF, AFTER THE ENTRY OF AN ORDER TO COMPEL, THE PERSON FAILS, OR REFUSES, TO PROVIDE RECORDS, OR OTHERWISE, COMPLY WITH THE SUBPOENA THE COURT MAY PROCEED BY ATTACHMENT AGAINST THE PERSON AS IF THE REFUSAL HAD BEEN BY A PERSON SUMMONED TO APPEAR IN A CASE PENDING BEFORE THE COURT.**
- (c) **(1) THE BOARD SHALL CHARGE FEES FOR THE PRODUCTION AND SERVICE OF A SUMMONS AS WELL AS PURSUIT OF THE RELIEF SET FORTH IN SECTION 22-2604.1(b).**  
**(2) THE FEES MAY BE ASSESSED ONLY AGAINST A LICENSE HOLDER OR PARTY WHOM THE BOARD HAS ADJUDICATED RESPONSIBLE FOR A VIOLATION OF A LAW CONCERNING ALCOHOLIC BEVERAGES.**

**(3) THE FEES ARE:**

**(I) \$25, FOR THE PRODUCTION OF A SUMMONS BY THE BOARD;**

**(II) AND \$30, FOR EACH ADDRESS IF THE SERVICE IS BY AN INVESTIGATOR/INSPECTOR EMPLOYED BY THE BOARD.**

**(III) IF THE BOARD IS REQUIRED TO PURSUE AN ACTION TO COMPEL PRODUCTION UNDER SUBSECTION (b) OF THIS STATUTE, IT SHALL BE ENTITLED TO AN AWARD OF REASONABLE COUNSEL FEES AGAINST THE RESPONSIBLE PARTY/LICENSEE IF THE ORDER TO COMPEL IS GRANTED.**

**(4) IN ADDITION TO OTHER FINES, PENALTIES, OR COSTS THAT MAY BE IMPOSED, THE BOARD MAY ALSO IMPOSE COSTS OF \$100 AGAINST A LICENSE HOLDER OR PARTY WHOM THE BOARD HAS FOUND TO HAVE VIOLATED A LAW CONCERNING ALCOHOLIC BEVERAGES.**

**Requested Changes:**

~~[Delete language in brackets]~~

**ADD LANGUAGE IN BOLD**