



# HOUSE BILL 99: Transfer ALE.

2019-2020 General Assembly

---

<b>Committee:</b> Senate Rules and Operations of the Senate	<b>Date:</b> June 13, 2019
<b>Introduced by:</b> Reps. McNeill, Boles	<b>Prepared by:</b> Susan Sitze*
<b>Analysis of:</b> Third Edition	Staff Attorney

---

**OVERVIEW:** *House Bill 99 would move the Alcohol Law Enforcement (ALE) Branch from within the State Bureau of Investigation, make ALE a new Division of the Department of Public Safety, and clarify the jurisdiction of ALE agents. The bill would also appropriate funds for ALE Division office space and personnel.*

**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** would relocate the ALE Branch of the SBI as a new Division of the Department of Public Safety (DPS).

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

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

**Section 4** would:

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

**Section 4** would also clarify 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.
- Occurring while an ALE agent is assisting another law-enforcement agency.

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

**Sections 5 through 11** would make conforming changes.

Karen Cochrane-Brown  
Director



Legislative Analysis  
Division  
919-733-2578

# House Bill 99

Page 2

**Sections 12 and 13** would provide appropriations for office space and personnel for the DPS ALE Division.

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

*\*Bill Patterson and Jennifer Bedford, Staff Attorneys, substantially contributed to this summary.*