



HOUSE BILL 99: Transfer ALE.

2019-2020 General Assembly

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| Committee: | Senate State and Local Government. If favorable, re-refer to Rules and Operations of the Senate | Date: | June 7, 2019 |
| Introduced by: | Reps. McNeill, Boles | Prepared by: | Bill Patterson* |
| Analysis of: | Third Edition | | Committee Co-Counsel |

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.*

[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 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.

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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 5-11 would make conforming changes.

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.

**Jennifer Bedford, counsel to Senate Judiciary Committee, substantially contributed to this summary.*