



HOUSE BILL 99: Transfer ALE.

2019-2020 General Assembly

Committee:

Introduced by: Reps. McNeill, Boles

Analysis of: Fourth Edition

Date:

June 24, 2019

Prepared by:

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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



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919-733-2578

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EFFECTIVE DATE: This act would become effective upon appropriation by the General Assembly of funds for the implementation of this act.

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