



2019-2020 General Assembly

HOUSE BILL 99: Transfer ALE/Move Boxing Advisory Commission, Part I: Transfer Ale

Committee:
Introduced by:
Analysis of: Part I of S.L. 2019-203

Date: January 8, 2020
Prepared by: Jennifer H. Bedford
Staff Attorney

OVERVIEW: *Part I of S.L. 2019-203 relocates the Alcohol Law Enforcement Branch (ALE) from within the State Bureau of Investigation (SBI) to create a new Division of the Department of Public Safety and clarifies the jurisdiction of ALE agents. Co-location of SBI/ALE offices will continue until funding is appropriated.*

This act became effective October 1, 2019.

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 relocates the ALE Branch of the SBI into a new Division of the Department of Public Safety (DPS), however, co-location of offices will continue until the General Assembly appropriates funds.

Section 2 creates the ALE Division of the DPS.

Section 3 repeals the existing law that established the ALE Branch within the SBI.

Section 4 does all of the following:

- Authorizes the DPS Secretary to appoint and supervise the Director of the ALE Division.
- Allows the Director of the ALE Division to hire, appoint, transfer, supervise, and fire personnel within the Division.
- Defines the primary responsibilities of an ALE agent to include violations of the lottery and gaming laws, and the bingo and raffle laws.

This section also clarifies 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.

Sections 5 through 11 make conforming changes.

EFFECTIVE DATE: This act became effective October 1, 2019.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578