

Government of the District of Columbia  
Office of the Chief Financial Officer



Natwar M. Gandhi  
Chief Financial Officer

**MEMORANDUM**

**TO:** The Honorable Vincent C. Gray  
Chairman, Council of the District of Columbia

**FROM:** Natwar M. Gandhi  
Chief Financial Officer 

**DATE:** NOV -6 2007

**SUBJECT:** Fiscal Impact Statement: "Omnibus Alcoholic Beverage Amendment Act of 2007"

**REFERENCE:** Draft Approval Resolution – No Number Available

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**Conclusion**

Funds are sufficient in the FY 2008 through FY 2011 budget and financial plan to implement the provisions of the proposed legislation. No additional staff or resources will be required to implement the Bill's provisions.

**Background**

The proposed legislation authorizes increased enforcement for both the Alcoholic Beverage Regulation Administration (ABRA) investigators and members of the Metropolitan Police Department (MPD) and other law enforcement officials. The proposed legislation would make an ABRA licensee's refusal to cooperate with or provide information to an ABRA investigator or law enforcement personnel investigating an incident an ABRA violation. The proposed legislation would also make a licensee's failure or refusal to allow an ABRA investigator or member of MPD to enter or inspect the establishment, or examine its books and records, an ABRA violation.

The proposed legislation enhances the existing enforcement authority of the Alcoholic Beverage Control Board (Board). The proposed legislation provides the Board with the general authority to fine licensees for alcohol violations. In addition, the proposed legislation would allow the Board to suspend or revoke a liquor license of a licensee who

possesses or maintains control of a firearm or dangerous weapon at its establishment. The proposed legislation would also clarify in law that the Board can suspend or revoke a liquor license if a licensee fails to follow its voluntary agreement, security plan, or Board order.

The proposed legislation would make several changes to ABRA's existing licensing process. The proposed legislation would require nightclubs to submit a copy of their security plan when filing new and renewal license applications. In addition, the proposed legislation would not allow a judge of any court or a member of MPD or another criminal law enforcement agency to apply for a liquor license. The proposed legislation would also make a tasting permit valid for three years rather than two years.

The proposed legislation would make "for hire" limousine or transportation companies eligible to apply for a common carrier license in those circumstances where alcoholic beverages are only kept in the passenger compartment and are not accessible to the driver.

The proposed legislation would also make restaurants eligible for a wine sellers permit that would allow patrons to take home one unsealed bottle of wine that was partially consumed with a meal at the licensed premises. Additionally, the legislation would allow the holder of a solicitor's license to transport samples to and from the District's licensed establishments. Finally, the legislation clarifies for District residents how much alcohol they can ship from an out-of-state winery to their home.

### **Financial Plan Impact**

Funds are sufficient in the FY 2008 through FY 2011 budget and financial plan because no additional staff or resources will be required.