

Department of Legislative Services
Maryland General Assembly
2007 Session

FISCAL AND POLICY NOTE

House Bill 670
Economic Matters

(Delegate McComas, *et al.*)

Education, Health, and Environmental Affairs

Alcohol Without Liquid Machines

This bill prohibits a person from using, possessing, purchasing, transferring, or offering for sale or use an alcohol without liquid (AWOL) machine. A violator is guilty of a misdemeanor and faces a fine of up to \$1,000; each violation is a separate offense.

Fiscal Summary

State Effect: Because it is assumed that the bill would apply in a limited number of cases, State finances would not be materially impacted.

Local Effect: Because it is assumed that the bill would apply in a limited number of cases, local finances would not be materially impacted.

Small Business Effect: None.

Analysis

Current Law: There is no prohibition against using, possessing, purchasing, transferring, or offering for sale or use an AWOL machine in the State of Maryland.

Background: An AWOL machine vaporizes alcoholic beverages and blends them with oxygen, creating a mist which is then inhaled through the mouth. This is a relatively new product which has been introduced into the marketplace.

The Department of Legislative Services (DLS) is aware of 16 states prohibiting alcohol vaporizing devices (**Exhibit 1**); including two neighboring states, Virginia and Pennsylvania. DLS knows of six states – Indiana, Kentucky, Missouri, North Dakota, New Jersey, South Carolina – that have pending legislation.

Exhibit 1
States Prohibiting Alcohol Vaporizing Devices

California	Idaho	Minnesota	Pennsylvania
Colorado	Illinois	Nevada	Tennessee
Connecticut	Kansas	New York	Virginia
Florida	Maine	Ohio	Wyoming

Additional Information

Prior Introductions: Similar bills were introduced in the 2005 and 2006 sessions. HB 1284 of 2006 received a favorable with amendments report by the House Economic Matters Committee and passed the House. The bill was amended by the Senate Education, Health, and Environmental Affairs Committee and passed the Senate. HB 1213 of 2005 received an unfavorable report from the House Economic Matters Committee.

Cross File: None.

Information Source(s): Caroline County, Montgomery County, Comptroller's Office, Department of Legislative Services

Fiscal Note History: First Reader - February 16, 2007
ncs/hlb

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