

# HOUSE BILL 963

A2

9lr2232

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By: **Prince George's County Delegation**

Introduced and read first time: February 13, 2009

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - Alcoholic Beverages - Public Consumption and**  
3 **Open Containers - Penalties**

4 **PG 326-09**

5 FOR the purpose of altering in Prince George's County the penalties for violating  
6 certain prohibitions against the public consumption of alcoholic beverages or the  
7 public possession of an open container of alcoholic beverages to include the  
8 possibility of certain terms of incarceration; making certain stylistic changes;  
9 and generally relating to penalties for alcoholic beverages violations in Prince  
10 George's County.

11 BY repealing and reenacting, without amendments,  
12 Article 2B - Alcoholic Beverages  
13 Section 19-202, 19-203, 19-301(b), and 19-303(14)  
14 Annotated Code of Maryland  
15 (2005 Replacement Volume and 2008 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Article 2B - Alcoholic Beverages  
18 Section 19-204 and 19-302  
19 Annotated Code of Maryland  
20 (2005 Replacement Volume and 2008 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
22 MARYLAND, That the Laws of Maryland read as follows:

23 **Article 2B - Alcoholic Beverages**

24 19-202.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) A person may not drink any alcoholic beverage, as defined in this article,  
2 while:

3 (1) On public property, unless authorized by a governmental entity  
4 that has jurisdiction over the property;

5 (2) On the mall, adjacent parking area, or other outside area of any  
6 combination of privately owned retail establishments, like a shopping center, where  
7 the general public is invited for business purposes, unless authorized by the owner of  
8 the shopping center;

9 (3) On an adjacent parking area or other outside area of any other  
10 retail establishment, unless authorized by the owner of the establishment; or

11 (4) In any parked vehicle located on any of the places enumerated in  
12 this subsection, unless authorized.

13 (b) Subsection (a) of this section does not apply to the consumption of  
14 alcoholic beverages by passengers in the living quarters of a motor home equipped  
15 with a toilet and central heating or the passengers of a chartered bus in transit if the  
16 owner or operator has consented to the consumption of the beverages.

17 19–203.

18 As to public property, any local governmental entity that owns or otherwise has  
19 jurisdiction over the property may adopt by local law or ordinance, as appropriate,  
20 standards providing for the authorization of the consumption of alcoholic beverages,  
21 otherwise prohibited by this subtitle, and consistent with the intended use of the  
22 property by the general public.

23 19–204.

24 (A) [Any] **EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A**  
25 person who violates [the provisions of] this subtitle is guilty of a misdemeanor and on  
26 conviction is subject to a fine not exceeding \$100.

27 (B) **IN PRINCE GEORGE’S COUNTY, A PERSON WHO VIOLATES THIS**  
28 **SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO**  
29 **IMPRISONMENT NOT EXCEEDING 10 DAYS OR A FINE NOT EXCEEDING \$100 OR**  
30 **BOTH.**

31 19–301.

32 (b) A person may not possess in an open container any alcoholic beverage, as  
33 defined in this article, while:

1           (1) On the mall, adjacent parking area, or other outside area of any  
2 combination of privately owned retail establishments, commonly known as a shopping  
3 center, to which the general public is invited for business purposes, unless authorized  
4 by the owner of the establishment;

5           (2) On an adjacent parking area or other outside area of any other  
6 retail establishment, unless authorized by the owner of the establishment; or

7           (3) In any parked vehicle located on any of the places enumerated in  
8 this section, unless authorized.

9 19-302.

10           **(A) [Any] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A**  
11 **person who violates [the provisions of] this subtitle is guilty of a misdemeanor and**  
12 **[upon] ON conviction is subject to a fine not exceeding \$100.**

13           **(B) IN PRINCE GEORGE’S COUNTY, A PERSON WHO VIOLATES THIS**  
14 **SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO**  
15 **IMPRISONMENT NOT EXCEEDING 10 DAYS OR A FINE NOT EXCEEDING \$100 OR**  
16 **BOTH.**

17 19-303.

18           This subtitle applies only in the following counties:

19           (14) Prince George’s County;

20           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
21 October 1, 2009.