

HOUSE BILL 1480

A2

7lr3091
CF SB 837

By: **Delegate Parrott**

Introduced and read first time: February 10, 2017

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Washington County – Alcoholic Beverages – Penalties**

3 FOR the purpose of providing that for a first offense for selling or providing alcoholic
4 beverages to an individual under the age of 21 years, a license holder or an employee
5 of the license holder is guilty of a misdemeanor and is subject to a certain fine;
6 providing that for each subsequent offense, a license holder or an employee of the
7 license holder who violates a certain provision of law is guilty of a misdemeanor and
8 is subject to a certain fine; and generally relating to alcoholic beverages in
9 Washington County.

10 BY repealing and reenacting, without amendments,
11 Article – Alcoholic Beverages
12 Section 31–102
13 Annotated Code of Maryland
14 (2016 Volume and 2016 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Alcoholic Beverages
17 Section 31–2702
18 Annotated Code of Maryland
19 (2016 Volume and 2016 Supplement)

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

22 **Article – Alcoholic Beverages**

23 31–102.

24 This title applies only in Washington County.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 31-2702.

2 **(A) FOR A FIRST OFFENSE, A LICENSE HOLDER OR AN EMPLOYEE OF A**
3 **LICENSE HOLDER WHO VIOLATES § 6-304 OF THIS ARTICLE IS GUILTY OF A**
4 **MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$200.**

5 **[(a)] (B)** A license holder or an employee of a license holder who is charged with
6 a violation of § 6-304 of this article:

7 (1) shall receive a summons to appear in court on a certain day to answer
8 the charges placed against the license holder or employee; and

9 (2) may not be required to post bail pending trial in any court in the State.

10 **[(b)] (C)** A license holder or an employee of a license holder may not be found
11 guilty of a violation of § 6-304 of this article if:

12 (1) the license holder or employee establishes to the satisfaction of the
13 finder of fact that the license holder or employee used due caution to establish that the
14 individual was not under the age of 21 years; and

15 (2) the individual was not a resident of the State.

16 **[(c)] (D)** [If an employee of a license holder violates § 6-304 of this article, the
17 Board may impose on the employee a fine not exceeding \$200] **FOR EACH SUBSEQUENT**
18 **OFFENSE, A LICENSE HOLDER OR AN EMPLOYEE OF A LICENSE HOLDER WHO**
19 **VIOLATES § 6-304 OF THIS ARTICLE IS GUILTY OF A MISDEMEANOR AND ON**
20 **CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$500.**

21 **[(d)] (E)** The granting of probation before judgment to a license holder or an
22 employee of the license holder for a violation of § 6-304 of this article does not bar the Board
23 from proceeding administratively against the license holder for the violation.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
25 1, 2017.