
By: Senator Trotter

Introduced and read first time: January 24, 1996

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - Alcoholic Beverages**
3 **(Possession or Drinking in Public)**

4 FOR the purpose of altering in Prince George's County, the penalty for drinking
5 alcoholic beverages in certain public places; prohibiting a person from possessing
6 alcoholic beverages in open containers in certain public places; establishing a
7 certain penalty for possessing alcoholic beverages in open containers in certain
8 public places; and generally relating to the penalties for possessing or drinking
9 alcoholic beverages in public places in Prince George's County.

10 BY repealing and reenacting, without amendments,
11 Article 2B - Alcoholic Beverages
12 Section 19-202 and 19-301
13 Annotated Code of Maryland
14 (1994 Replacement Volume and 1995 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article 2B - Alcoholic Beverages
17 Section 19-204, 19-302, and 19-303
18 Annotated Code of Maryland
19 (1994 Replacement Volume and 1995 Supplement)

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

22 **Article 2B - Alcoholic Beverages**

23 19-202.

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

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

28 (2) On the mall, adjacent parking area, or other outside area of any
29 combination of privately owned retail establishments, like a shopping center, where the

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1 general public is invited for business purposes, unless authorized by the owner of the
2 shopping center;

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

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

7 (b) Subsection (a) does not apply to the consumption of alcoholic beverages by
8 passengers in the living quarters of a motor home equipped with a toilet and central
9 heating or the passengers of a chartered bus in transit if the owner or operator has
10 consented to the consumption of the beverages.

11 19-204.

12 (A) [Any] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, ANY
13 person who violates the provisions of this subheading is guilty of a misdemeanor and on
14 conviction is subject to a fine not exceeding \$100.

15 (B) IN PRINCE GEORGE'S COUNTY, ANY PERSON WHO VIOLATES THE
16 PROVISIONS OF THIS SUBHEADING IS GUILTY OF A MISDEMEANOR AND ON
17 CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$100 OR A TERM OF
18 IMPRISONMENT NOT EXCEEDING 3 DAYS OR BOTH.

19 19-301.

20 (a) (1) This definition applies only in Carroll, Harford, and Montgomery
21 Counties.

22 (2) In this section "unless authorized" means the possession and
23 presentation of a written consent by the owner of the property.

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

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

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

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

34 19-302.

35 (A) [Any] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, ANY
36 person who violates the provisions of this subheading is guilty of a misdemeanor and on
37 conviction is subject to a fine not exceeding \$100.

38 (B) IN PRINCE GEORGE'S COUNTY, ANY PERSON WHO VIOLATES THE
39 PROVISIONS OF THIS SUBHEADING IS GUILTY OF A MISDEMEANOR AND ON

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1 CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$100 OR A TERM OF
2 IMPRISONMENT NOT EXCEEDING 3 DAYS OR BOTH.

3 19-303.

4 This subheading applies only in the following counties:

5 (1) Allegany County;

6 (2) Baltimore County, including motorcycles located on any of the places
7 enumerated in § 19-301 of this subheading, unless authorized;

8 (3) Calvert County;

9 (4) Carroll County, including motorcycles located on any of the places
10 enumerated in § 19-301 of this subheading, unless authorized;

11 (5) Cecil County;

12 (6) Charles County;

13 (7) Frederick County;

14 (8) Garrett County;

15 (9) Harford County;

16 (10) Howard County;

17 (11) Montgomery County;

18 (12) PRINCE GEORGE'S COUNTY;

19 [(12)] (13) St. Mary's County; and

20 [(13)] (14) Somerset County.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 1996.