
By: Senator Trotter

Introduced and read first time: January 24, 1996

Assigned to: Economic and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: March 19, 1996

CHAPTER ____

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:

2

1 **Article 2B - Alcoholic Beverages**

2 19-202.

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

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

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

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

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

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

19 19-204.

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

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

27 19-301.

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

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

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

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

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

3

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

3 19-302.

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

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

11 19-303.

12 This subheading applies only in the following counties:

13 (1) Allegany County;

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

16 (3) Calvert County;

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

19 (5) Cecil County;

20 (6) Charles County;

21 (7) Frederick County;

22 (8) Garrett County;

23 (9) Harford County;

24 (10) Howard County;

25 (11) Montgomery County;

26 (12) PRINCE GEORGE'S COUNTY;

27 [(12)] (13) St. Mary's County; and

28 [(13)] (14) Somerset County.

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

