
By: **Delegates Cane, Bozman, Conway, Eckardt, Elmore, and Haddaway**
Introduced and read first time: February 6, 2004
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Wicomico County - Alcoholic Beverages - Open Container Law**

3 FOR the purpose of adding Wicomico County to the list of counties in which a person
4 may not possess in an open container any alcoholic beverages without certain
5 authorization while in shopping centers or certain other areas, subject to a
6 certain penalty; providing that a certain definition applies in Wicomico County;
7 and generally relating to a prohibition against possessing alcoholic beverages in
8 open containers in Wicomico County.

9 BY repealing and reenacting, with amendments,
10 Article 2B - Alcoholic Beverages
11 Section 19-301 and 19-303
12 Annotated Code of Maryland
13 (2001 Replacement Volume and 2003 Supplement)

14 BY repealing and reenacting, without amendments,
15 Article 2B - Alcoholic Beverages
16 Section 19-302
17 Annotated Code of Maryland
18 (2001 Replacement Volume and 2003 Supplement)

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

21 **Article 2B - Alcoholic Beverages**

22 19-301.

23 (a) (1) This definition applies only in the following jurisdictions:

24 (i) Caroline County;

25 (ii) Carroll County;

26 (iii) Dorchester County;

1 (iv) Harford County; [and]

2 (v) Montgomery County; AND

3 (VI) WICOMICO COUNTY.

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

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

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

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

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

16 19-302.

17 Any person who violates the provisions of this subheading is guilty of a
18 misdemeanor and upon conviction is subject to a fine not exceeding \$100.

19 19-303.

20 This subheading applies only in the following counties:

21 (1) Allegany County;

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

24 (3) Calvert County;

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

27 (5) Cecil County;

28 (6) Charles County;

29 (7) Dorchester County;

30 (8) Frederick County;

31 (9) Garrett County;

- 1 (10) Harford County;
- 2 (11) Howard County;
- 3 (12) Montgomery County;
- 4 (13) St. Mary's County; [and]
- 5 (14) Somerset County; AND
- 6 (15) WICOMICO COUNTY.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
8 effect October 1, 2004.