
By: **Delegate Love**
Introduced and read first time: February 25, 2004
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Alcoholic Beverages - Rights of Federal Licensees and Solicitor's Permit**
3 **Holders**

4 FOR the purpose of authorizing holders of a federal importer's license and holders of
5 a solicitor's permit issued by the Office of the Comptroller to buy, possess, store,
6 import, transport, or keep alcoholic beverages; authorizing licensees and permit
7 holders to allow alcoholic beverages to be bought, possessed, stored, imported,
8 transported, or kept under certain circumstances; making technical corrections;
9 and generally relating to buying, possessing, storing, importing, transporting,
10 and keeping alcoholic beverages.

11 BY repealing and reenacting, with amendments,
12 Article 2B - Alcoholic Beverages
13 Section 1-201(a)
14 Annotated Code of Maryland
15 (2001 Replacement Volume and 2003 Supplement)

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

18 **Article 2B - Alcoholic Beverages**

19 1-201.

20 (a) (1) Alcoholic beverages may not be bought, possessed, stored, imported,
21 transported, kept or suffered to be bought, possessed, stored, imported, transported or
22 kept in any vehicle, vessel or aircraft or on any premises or under the charge or
23 control of any person except BY:

24 (i) [by a] A consumer[, or];

25 (ii) [by a] A licensee as provided in this article[, or];

26 (iii) A HOLDER OF A FEDERAL IMPORTER'S LICENSE;

1 (IV) A HOLDER OF A SOLICITOR'S PERMIT ISSUED BY THE OFFICE OF
2 THE COMPTROLLER; OR

3 (V) [by a] A person under 21 years of age who has in the person's
4 possession or is transporting alcoholic beverages for any lawful purpose with the
5 knowledge and consent of the person's parent or guardian or incident to the lawful
6 employment of the person as provided for in this article.

7 (2) [However, this exception] PARAGRAPH (1)(V) OF THIS SUBSECTION
8 does not permit a person under the age of 21 to buy or consume alcoholic beverages,
9 nor to possess, store, import, transport or keep alcoholic beverages for his own use,
10 nor to buy, possess, store, import, transport or keep alcoholic beverages for any
11 purpose in any county or Baltimore City where otherwise prohibited by this article or
12 any other law of this State.

13 [(2)] (3) A person may not sell, or suffer to be sold, or for the purpose of
14 sale, transport, buy, possess, keep or suffer to be transported, bought, possessed or
15 kept in any vehicle, vessel or aircraft or on any premises or under the person's charge
16 or control any alcoholic beverages unless otherwise provided for in this article or the
17 Tax - General Article.

18 [(3)] (4) A person may not manufacture, blend, rectify, bottle or suffer to
19 be manufactured, blended, rectified or bottled any alcoholic beverages except on
20 premises licensed under this article unless otherwise provided for in this article.

21 [(4)] (5) A person may not buy, bargain, sell, borrow, lend, manufacture,
22 possess, transport or suffer to be bought, bargained, sold, lent, manufactured,
23 possessed or transported any apparatus, materials, equipment, implements, devices
24 or other personal property designed, used or intended for use directly or immediately
25 in connection with the unlawful manufacture of alcoholic beverages. The apparatus,
26 materials, equipment, implements, devices or other personal property shall be
27 deemed contraband and may be confiscated and forfeited as provided in this article.

28 [(5)] (6) Any vehicle, vessel or aircraft used with the express or implied
29 knowledge, consent or permission of its lawful owner for the purpose of violating any
30 of the provisions of this article relating to the unlawful manufacture of alcoholic
31 beverages or which is used to transport, store or secrete illicit alcoholic beverages
32 shall be deemed contraband and may be confiscated by the Comptroller or his duly
33 authorized enforcement officers and may be forfeited as provided for in this article.

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
35 June 1, 2004.