

SENATE BILL 442

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2004 Regular Session  
4r2636  
CF 4r1100

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By: **Senator Brinkley**  
Introduced and read first time: February 5, 2004  
Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2 **Alcoholic Beverages - Underage Consumption**

3 FOR the purpose of making it a Code violation for an individual under the age of 21  
4 years to consume alcohol and show certain effects of its consumption; and  
5 generally relating to the underage consumption of alcoholic beverages.

6 BY repealing and reenacting, with amendments,  
7 Article - Criminal Law  
8 Section 10-114  
9 Annotated Code of Maryland  
10 (2002 Volume and 2003 Supplement)

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

13 **Article - Criminal Law**

14 10-114.

15 An individual under the age of 21 years may not:

16 (1) possess or have under the individual's charge or control an alcoholic  
17 beverage unless the individual is a bona fide employee of the license holder as defined  
18 in Article 2B, § 1-102 of the Code and the alcoholic beverage is in the possession or  
19 under the charge or control of the individual in the course of the individual's  
20 employment and during regular working hours; OR

21 (2) CONSUME ALCOHOL AND EXHIBIT EFFECTS OF ITS CONSUMPTION,  
22 SUCH AS HAVING BOTH:

23 (I) THE ODOR OF AN ALCOHOLIC BEVERAGE ON THE INDIVIDUAL'S  
24 BREATH; AND

25 (II) IMPAIRED SPEECH, APPEARANCE, OR BEHAVIOR.

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