
By: ~~Delegate Cryor~~ Delegates Crvor and Arnick

Introduced and read first time: February 17, 2005

Assigned to: Rules and Executive Nominations

Re-referred to: Judiciary, March 3, 2005

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 25, 2005

CHAPTER _____

1 AN ACT concerning

2 **Alcoholic Beverages - Furnishing for or Allowing Underage Consumption -**
 3 **Fines**

4 FOR the purpose of increasing the fines for first and subsequent offenders of the
 5 prohibition against knowingly furnishing an alcoholic beverage to an individual
 6 under the age of 21 years for the purpose of consumption and of the prohibition
 7 against knowingly and willingly allowing an individual under the age of 21
 8 years actually to possess or consume an alcoholic beverage at a certain
 9 residence; and generally relating to alcoholic beverages violations.

10 BY repealing and reenacting, without amendments,
 11 Article - Criminal Law
 12 Section 10-117
 13 Annotated Code of Maryland
 14 (2002 Volume and 2004 Supplement)

15 BY repealing and reenacting, with amendments,
 16 Article - Criminal Law
 17 Section 10-119(h)
 18 Annotated Code of Maryland
 19 (2002 Volume and 2004 Supplement)

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

1

Article - Criminal Law

2 10-117.

3 (a) Except as provided in subsection (c) of this section, a person may not
4 furnish an alcoholic beverage to an individual if:

5 (1) the person furnishing the alcoholic beverage knows that the
6 individual is under the age of 21 years; and

7 (2) the alcoholic beverage is furnished for the purpose of consumption by
8 the individual under the age of 21 years.

9 (b) Except as provided in subsection (c) of this section, an adult may not
10 knowingly and willfully allow an individual under the age of 21 years actually to
11 possess or consume an alcoholic beverage at a residence, or within the curtilage of a
12 residence that the adult owns or leases and in which the adult resides.

13 (c) (1) The prohibition set forth in subsection (a) of this section does not
14 apply if the person furnishing the alcoholic beverage and the individual to whom the
15 alcoholic beverage is furnished:

16 (i) are members of the same immediate family, and the alcoholic
17 beverage is furnished and consumed in a private residence or within the curtilage of
18 the residence; or

19 (ii) are participants in a religious ceremony.

20 (2) The prohibition set forth in subsection (b) of this section does not
21 apply if the adult allowing the possession or consumption of the alcoholic beverage
22 and the individual under the age of 21 years who possesses or consumes the alcoholic
23 beverage:

24 (i) are members of the same immediate family, and the alcoholic
25 beverage is possessed and consumed in a private residence, or within the curtilage of
26 the residence, of the adult; or

27 (ii) are participants in a religious ceremony.

28 10-119.

29 (h) (1) [If] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,
30 IF the District Court finds that a person has committed a Code violation, the court
31 shall require the person to pay:

32 (i) a fine not exceeding \$500; or

33 (ii) if the violation is a subsequent violation, a fine not exceeding
34 \$1,000.

1 (2) IF THE DISTRICT COURT FINDS THAT A PERSON HAS COMMITTED A
2 CODE VIOLATION UNDER § 10-117 OF THIS SUBTITLE, THE COURT SHALL REQUIRE
3 THE PERSON TO PAY:

4 (I) A FINE NOT EXCEEDING \$1,000; OR

5 (II) IF THE VIOLATION IS A SUBSEQUENT VIOLATION, A FINE NOT
6 EXCEEDING \$1,500.

7 [(2)] (3) The Chief Judge of the District Court may not establish a
8 schedule for the prepayment of fines.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2005.