
By: **Senators Colburn and Pipkin**

Introduced and read first time: February 4, 2005

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: March 19, 2005

CHAPTER_____

1 AN ACT concerning

2 **Caroline County - Alcoholic Beverages - Open Containers**

3 FOR the purpose of making it a misdemeanor for a person in Caroline County to
4 possess an open container of an alcoholic beverage under certain circumstances;
5 establishing a penalty; and generally relating to open containers of alcoholic
6 beverages in Caroline County.

7 BY repealing and reenacting, without amendments,
8 Article 2B - Alcoholic Beverages
9 Section 19-301 and 19-302
10 Annotated Code of Maryland
11 (2001 Replacement Volume and 2004 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article 2B - Alcoholic Beverages
14 Section 19-303
15 Annotated Code of Maryland
16 (2001 Replacement Volume and 2004 Supplement)

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

19 **Article 2B - Alcoholic Beverages**

20 19-301.

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

- 1 (i) Caroline County;
- 2 (ii) Carroll County;
- 3 (iii) Dorchester County;
- 4 (iv) Harford County;
- 5 (v) Montgomery County;
- 6 (vi) Prince George's County; and
- 7 (vii) Wicomico County.

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

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

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

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

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

20 19-302.

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

23 19-303.

24 This subtitle applies only in the following counties:

- 25 (1) Allegany County;
- 26 (2) Baltimore County, including motorcycles located on any of the places
 27 enumerated in § 19-301 of this subtitle, unless authorized;
- 28 (3) Calvert County;
- 29 (4) CAROLINE COUNTY;
- 30 [(4)] (5) Carroll County, including motorcycles located on any of the
 31 places enumerated in § 19-301 of this subtitle, unless authorized;

- 1 [(5)] (6) Cecil County;
- 2 [(6)] (7) Charles County;
- 3 [(7)] (8) Dorchester County;
- 4 [(8)] (9) Frederick County;
- 5 [(9)] (10) Garrett County;
- 6 [(10)] (11) Harford County;
- 7 [(11)] (12) Howard County;
- 8 [(12)] (13) Montgomery County;
- 9 [(13)] (14) Prince George's County;
- 10 [(14)] (15) St. Mary's County;
- 11 [(15)] (16) Somerset County; and
- 12 [(16)] (17) Wicomico County.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 July 1, 2005.