

**Department of Legislative Services**  
Maryland General Assembly  
2005 Session

**FISCAL AND POLICY NOTE**

Senate Bill 594

(Senators Colburn and Pipkin)

Education, Health, and Environmental Affairs

Economic Matters

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

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This bill makes it a misdemeanor for a person in Caroline County to possess an open container of an alcoholic beverage in specified areas including shopping centers, retail establishments, and any parked vehicle adjacent to or outside a shopping center or retail establishment, unless authorized by the owner of the establishment. A person who violates this provision is subject to a maximum fine of \$100.

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**Fiscal Summary**

**State Effect:** Potential minimal increase in general fund revenues from the penalty provision.

**Local Effect:** Enforcement of open container laws could be handled with existing resources of Caroline County.

**Small Business Effect:** Minimal.

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**Analysis**

**Current Law:** In Allegany, Baltimore, Calvert, Carroll, Cecil, Charles, Dorchester, Frederick, Garrett, Harford, Howard, Montgomery, Prince George's, St. Mary's, Somerset, and Wicomico counties, it is illegal to possess an alcoholic beverage in an open container while in specified areas. However, open containers are permitted in specified areas for the counties of Caroline, Carroll, Dorchester, Harford, Montgomery, Prince George's, and Wicomico if the person possesses and presents the written consent of the property owner.

A violation of a provision prohibiting open alcoholic beverage containers is a misdemeanor, subject to a maximum fine of \$100. If an individual is under 18, the individual will be prosecuted as a juvenile. If the individual is 18 or over, the individual will be prosecuted as an adult in District Court. The vast majority of alcoholic beverages violations (for persons at least 18 years old) are adjudicated in the District Court.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Caroline County, Judiciary (Administrative Office of the Courts), Department of Legislative Services

**Fiscal Note History:** First Reader - March 9, 2005  
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