

# HOUSE BILL 379

A2

71r2001

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By: **Charles County Delegation**

Introduced and read first time: February 2, 2007

Assigned to: Economic Matters

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Committee Report: Favorable

House action: Adopted

Read second time: February 27, 2007

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Charles County – Alcoholic Beverages – Drinking on Public Property and in**  
3 **Other Areas**

4 FOR the purpose of repealing the exemption for Charles County from a certain  
5 prohibition against drinking alcoholic beverages without authorization on public  
6 property and certain other areas; making certain stylistic changes; and  
7 generally relating to drinking alcoholic beverages in Charles County.

8 BY repealing and reenacting, with amendments,  
9 Article 2B – Alcoholic Beverages  
10 Section 19–201, 19–202, 19–203, and 19–204  
11 Annotated Code of Maryland  
12 (2005 Replacement Volume and 2006 Supplement)

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

15 **Article 2B – Alcoholic Beverages**

16 19–201.

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) [(1) In this subheading the following word has the meaning indicated.

2 (2) “Public property”] **IN THIS SUBTITLE, “PUBLIC PROPERTY”**  
3 includes any building, ground, park, street, highway, alley, sidewalk, station, terminal  
4 or other structure, road or parking area located on land owned, leased, or operated by  
5 this State, a county, a municipality, Washington Suburban Sanitary Commission,  
6 Maryland–National Capital Park and Planning Commission, Montgomery County  
7 Revenue Authority, or Washington Metropolitan Area Transit Authority.

8 (b) This [subheading] **SUBTITLE** does not apply in [the following  
9 subdivisions:

10 (1) Charles County.

11 (2) Kent County.

12 (3) Queen Anne’s County] **KENT COUNTY AND QUEEN ANNE’S**  
13 **COUNTY.**

14 19–202.

15 (a) A person may not drink any alcoholic beverage, as defined in this article,  
16 while:

17 (1) On public property, unless authorized by a governmental entity  
18 that has jurisdiction over the property;

19 (2) On the mall, adjacent parking area, or other outside area of any  
20 combination of privately owned retail establishments, like a shopping center, where  
21 the general public is invited for business purposes, unless authorized by the owner of  
22 the shopping center;

23 (3) On an adjacent parking area or other outside area of any other  
24 retail establishment, unless authorized by the owner of the establishment; or

25 (4) In any parked vehicle located on any of the places enumerated in  
26 this subsection, unless authorized.

27 (b) Subsection (a) **OF THIS SECTION** does not apply to the consumption of  
28 alcoholic beverages by passengers in the living quarters of a motor home equipped  
29 with a toilet and central heating or the passengers of a chartered bus in transit if the  
30 owner or operator has consented to the consumption of the beverages.

1 19-203.

2 As to public property, any local governmental entity that owns or otherwise has  
3 jurisdiction over the property may adopt by local law or ordinance, as appropriate,  
4 standards providing for the authorization of the consumption of alcoholic beverages,  
5 otherwise prohibited by this [subheading] **SUBTITLE**, and consistent with the  
6 intended use of the property by the general public.

7 19-204.

8 Any person who violates the provisions of this [subheading] **SUBTITLE** is guilty  
9 of a misdemeanor and on conviction is subject to a fine not exceeding \$100.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
11 July 1, 2007.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.