

HOUSE BILL 464

A2
HB 949/06 – ECM

71r0543

By: **Prince George's County Delegation**
Introduced and read first time: February 6, 2007
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Alcoholic Beverages – Unlawful Drinking and Open**
3 **Containers**

4 **PG 307-07**

5 FOR the purpose of altering the penalties in Prince George's County for drinking an
6 alcoholic beverage and for possessing an open container of an alcoholic beverage
7 in certain locations; making certain stylistic changes; and generally relating to
8 alcoholic beverages in Prince George's County.

9 BY repealing and reenacting, without amendments,
10 Article 2B – Alcoholic Beverages
11 Section 19-202 and 19-301
12 Annotated Code of Maryland
13 (2005 Replacement Volume and 2006 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article 2B – Alcoholic Beverages
16 Section 19-204 and 19-302
17 Annotated Code of Maryland
18 (2005 Replacement Volume and 2006 Supplement)

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

21 **Article 2B – Alcoholic Beverages**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 19-202.

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

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

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

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

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

14 (b) Subsection (a) does not apply to the consumption of alcoholic beverages
15 by passengers in the living quarters of a motor home equipped with a toilet and
16 central heating or the passengers of a chartered bus in transit if the owner or operator
17 has consented to the consumption of the beverages.

18 19-204.

19 (A) [Any] **EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A**
20 person who violates [the provisions of] this [subheading] **SUBTITLE** is guilty of a
21 misdemeanor and on conviction is subject to a fine not exceeding \$100.

22 (B) **IN PRINCE GEORGE'S COUNTY, A PERSON WHO VIOLATES THIS**
23 **SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO**
24 **IMPRISONMENT NOT EXCEEDING 30 DAYS OR A FINE NOT EXCEEDING \$100 OR**
25 **BOTH.**

26 19-301.

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

28 (i) Caroline County;

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

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

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

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

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

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

19 19-302.

20 (A) [Any] **EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A**
21 **person who violates [the provisions of] this subtitle is guilty of a misdemeanor and**
22 **[upon] ON conviction is subject to a fine not exceeding \$100.**

23 (B) **IN PRINCE GEORGE'S COUNTY, A PERSON WHO VIOLATES THIS**
24 **SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO**
25 **IMPRISONMENT NOT EXCEEDING 30 DAYS OR A FINE NOT EXCEEDING \$100 OR**
26 **BOTH.**

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