

CHAPTER 395

(House Bill 379)

AN ACT concerning

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

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

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

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

Article 2B – Alcoholic Beverages

19–201.

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

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

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

(1) Charles County.

(2) Kent County.

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

19-202.

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

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

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

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

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

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

19-203.

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

19-204.

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

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

Approved by the Governor, May 8, 2007.