

Department of Legislative Services
Maryland General Assembly
2007 Session

FISCAL AND POLICY NOTE

House Bill 192
Judiciary

(Frederick County Delegation)

Frederick County - Alcoholic Beverages - Underage Consumption

This bill specifies that an individual in Frederick County under the age of 21 may not consume alcohol and exhibit effects of its consumption.

Fiscal Summary

State Effect: Potential minimal increase in general fund revenues due to the bill's fine provision from cases heard in the District Court. Potential minimal operational impact on the District Court.

Local Effect: Enforcement could be handled with existing resources. Potential minimal operational impact on juvenile court.

Small Business Effect: None.

Analysis

Current Law: An individual under 21 years old may not have an alcoholic beverage in his or her possession unless the individual is an employee of an alcoholic beverage license holder and is in possession of the alcoholic beverage in the normal course of the individual's employment. There is no specific prohibition against exhibiting the effects of alcohol consumption.

An individual age 18 to 21 who is cited for possessing or consuming an alcoholic beverage is subject to a fine of up to \$500 for a first violation and up to \$1,000 for each subsequent violation. The same fines apply to an individual ages 18 to 21 who possesses

or consumes alcohol at a public school. The court may suspend or defer these fines; an individual who willfully fails to repay these fines may be charged with criminal contempt of court.

An individual younger than 18 who is issued a citation for possessing an alcoholic beverage must be tried as a juvenile in the circuit court sitting as the juvenile court. The court may counsel the child and/or the parent or order the child into an alcohol education or rehabilitation program, impose a civil fine of up to \$25 for the first violation and up to \$100 for subsequent violations, or order the child to participate in a supervised work program of up to 20 hours for the first violation and up to 40 hours for subsequent violations.

Background: The Administrative Office of the Courts no longer maintains statistics regarding the number of underage drinking violations. In 1999, the last year for which these statistics are available, there were approximately 2,300 underage drinking violations in Maryland.

Additional Information

Prior Introductions: Similar bills, SB 856 and HB 529, with statewide application were introduced in the 2006 session. SB 856 was withdrawn and HB 520 received an unfavorable report from the House Judiciary Committee.

Cross File: None.

Information Source(s): Department of Legislative Services

Fiscal Note History: First Reader - January 30, 2007
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