

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 409  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “on” insert “a certain sign or”; strike beginning with “authorizing” in line 7 down through “circumstances;” in line 13; in line 17, after “Act;” insert “providing that a person who violates certain provisions of this Act is not subject to certain criminal or civil penalties;”; and in line 20, after “21-330.2” insert “and 21-1214”.

AMENDMENT NO. 2

On page 2, in line 16, strike “**SUBSECTIONS**” and substitute “**SUBSECTION**”; in the same line, strike “**AND (E)**”; and in the same line, strike “**DO**” and substitute “**DOES**”.

On page 3, in line 7, after “ON” insert “**A SIGN THAT IS CONSPICUOUSLY DISPLAYED IN THE RESTAURANT;**”

**(II) INCLUDED ON**”;

and in line 9, strike “**(II)**” and substitute “**(III)**”.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 11 through 25, inclusive; and in line 26, strike “**(F)**” and substitute “**(E)**”.

AMENDMENT NO. 4

On page 3, after line 32, insert:

“21-1214.”

(Over)

(a) (1) Except as provided in paragraph (2) of this subsection, any person who violates any provision of Subtitle 3 of this title or any rule or regulation adopted under Subtitle 3 of this title is guilty of a misdemeanor and on conviction is subject to:

(i) For a first offense, a fine not exceeding \$1,000 or imprisonment not exceeding 90 days, or both; and

(ii) For a second offense, a fine not exceeding \$2,500 or imprisonment not exceeding 1 year, or both.

(2) A person who violates § 21-330.1 OR § 21-330.2(D) of this title is not subject to paragraph (1) of this subsection.

(b) (1) [In] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IN addition to any criminal penalties imposed under this section, a person who violates any provision of Subtitle 3 of this title or any rule or regulation adopted under Subtitle 3 of this title or any term, condition, or limitation of any license or registration issued under Subtitle 3 of this title:

[(1)] (I) Is liable for a civil penalty not exceeding \$5,000, to be collected in a civil action in the District Court for any county; and

[(2)] (II) May be enjoined from continuing the violation.

(2) A PERSON WHO VIOLATES § 21-330.2(D) OF THIS TITLE IS NOT SUBJECT TO PARAGRAPH (1) OF THIS SUBSECTION.

(c) Each day on which a violation occurs is a separate violation under this section.”.