

SENATE BILL 937

A1

~~EMERGENCY BILL~~
ENROLLED BILL

(5lr3121)

— *Education, Health, and Environmental Affairs/Economic Matters* —

Introduced by **Senators Madaleno, Raskin, Kasemeyer, and Miller**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Alcoholic Beverages – Powdered Alcoholic Beverages – Ban on Sales**

3 FOR the purpose of prohibiting a person from selling or offering to sell alcoholic beverages
4 that are sold in a powder or crystalline form for direct use or use in combination with
5 water or any other substance; providing a certain penalty; ~~making this Act an~~
6 ~~emergency measure~~; providing for the termination of this Act; and generally relating
7 to a prohibition on the sale of powdered alcohol.

8 BY repealing and reenacting, without amendments,

9 Article 2B – Alcoholic Beverages

10 Section 1–102(a)(1) and (2)

11 Annotated Code of Maryland

12 (2011 Replacement Volume and 2014 Supplement)

13 BY adding to

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.

Italics indicate opposite chamber/conference committee amendments.



1 Article 2B – Alcoholic Beverages
 2 Section 16–505.3
 3 Annotated Code of Maryland
 4 (2011 Replacement Volume and 2014 Supplement)

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

7 **Article 2B – Alcoholic Beverages**

8 1–102.

9 (a) (1) In this article the following words have the meanings indicated.

10 (2) (i) “Alcoholic beverages” means alcohol, brandy, whiskey, rum, gin,
 11 cordial, beer, ale, porter, stout, wine, cider, and any other spirituous, vinous, malt or
 12 fermented liquor, liquid, or compound, by whatever name called, which contains, except as
 13 provided in subparagraph (ii) of this paragraph, one-half of one percent or more of alcohol
 14 by volume, which is fit for beverage purposes.

15 (ii) “Alcoholic beverages” does not include a confectionery food
 16 product that contains up to 5 percent of alcohol by volume and is regulated by the
 17 Department of Health and Mental Hygiene under § 21–209 of the Health – General Article.

18 **16–505.3.**

19 **(A) A PERSON MAY NOT SELL OR OFFER FOR SALE ALCOHOLIC BEVERAGES**
 20 **THAT ARE SOLD IN POWDER OR CRYSTALLINE FORM FOR DIRECT USE OR USE IN**
 21 **COMBINATION WITH WATER OR ANY OTHER SUBSTANCE.**

22 **(B) (1) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A**
 23 **MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000.**

24 **(2) EACH VIOLATION OF THIS SECTION IS A SEPARATE OFFENSE.**

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act ~~is an emergency~~
 26 ~~measure, is necessary for the immediate preservation of the public health or safety, has~~
 27 ~~been passed by a yeo and nay vote supported by three-fifths of all the members elected to~~
 28 ~~each of the two Houses of the General Assembly, and shall take effect from the date it is~~
 29 ~~enacted. It shall remain effective for a period of 2 years from the date it is enacted and, at~~
 30 ~~the end of the 2-year period shall take effect June 1, 2015. It shall remain effective for a~~
 31 period of 1 year and 1 month and, at the end of June 30, 2016, with no further action
 32 required by the General Assembly, this Act shall be abrogated and of no further force and
 33 effect.