

HOUSE BILL 1288

A1, J1

5lr3117

By: **Delegates Morhaim and Lam**

Rules suspended

Introduced and read first time: March 17, 2015

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

AN ACT concerning

Alcoholic Beverages – Sale of Powdered Alcohol – Prohibition

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

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 1–102(a)(1) and (2)
Annotated Code of Maryland
(2011 Replacement Volume and 2014 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 16–505.3
Annotated Code of Maryland
(2011 Replacement Volume and 2014 Supplement)

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

Article 2B – Alcoholic Beverages

1–102.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

16–505.3.

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

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

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

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2015. It shall remain effective for a period of 1 year and 1 month and, at the end of June 30, 2016, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.