

SENATE BILL 837

A2

7lr3096
CF 7lr3091

By: **Washington County Senators**

Introduced and read first time: February 3, 2017

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Washington County – Alcoholic Beverages – Penalties**

3 FOR the purpose of authorizing the Washington County Board of License Commissioners
4 to impose on a license holder or an employee of a license holder a certain fine for a
5 first offense for selling or providing alcoholic beverages to an individual under the
6 age of 21 years; specifying certain criminal procedures for a subsequent offense for a
7 license holder or an employee of a license holder who sells or provides alcoholic
8 beverages to an individual under the age of 21 years; providing that for each
9 subsequent offense, a license holder or an employee of the license holder who violates
10 a certain provision of law is guilty of a misdemeanor and is subject to a certain fine;
11 and generally relating to alcoholic beverages in Washington County.

12 BY repealing and reenacting, without amendments,
13 Article – Alcoholic Beverages
14 Section 31–102
15 Annotated Code of Maryland
16 (2016 Volume and 2016 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – Alcoholic Beverages
19 Section 31–2702
20 Annotated Code of Maryland
21 (2016 Volume and 2016 Supplement)

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

24 **Article – Alcoholic Beverages**

25 31–102.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 This title applies only in Washington County.

2 31-2702.

3 **(A) FOR A FIRST OFFENSE, IF A LICENSE HOLDER OR AN EMPLOYEE OF A**
4 **LICENSE HOLDER VIOLATES § 6-304 OF THIS ARTICLE, THE BOARD MAY IMPOSE ON**
5 **THE LICENSE HOLDER OR THE EMPLOYEE OF THE LICENSE HOLDER A FINE NOT**
6 **EXCEEDING \$200.**

7 **[(a)] (B) [A] FOR EACH SUBSEQUENT OFFENSE, A** license holder or an
8 employee of a license holder who is charged with a violation of § 6-304 of this article:

9 (1) shall receive a summons to appear in court on a certain day to answer
10 the charges placed against the license holder or employee; and

11 (2) may not be required to post bail pending trial in any court in the State.

12 **[(b)] (C)** A license holder or an employee of a license holder may not be found
13 guilty of a violation of § 6-304 of this article if:

14 (1) the license holder or employee establishes to the satisfaction of the
15 finder of fact that the license holder or employee used due caution to establish that the
16 individual was not under the age of 21 years; and

17 (2) the individual was not a resident of the State.

18 **[(c)] (D)** **[If an employee of a license holder violates § 6-304 of this article, the**
19 **Board may impose on the employee a fine not exceeding \$200] FOR EACH SUBSEQUENT**
20 **OFFENSE, A LICENSE HOLDER OR AN EMPLOYEE OF A LICENSE HOLDER WHO**
21 **VIOLATES § 6-304 OF THIS ARTICLE IS GUILTY OF A MISDEMEANOR AND ON**
22 **CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$500.**

23 **[(d)] (E)** The granting of probation before judgment to a license holder or an
24 employee of the license holder for a violation of § 6-304 of this article does not bar the Board
25 from proceeding administratively against the license holder for the violation.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
27 1, 2017.