

HOUSE BILL 182

A1

11r0843

By: **Delegates Stein, Rudolph, Hubbard, Beidle, Cardin, Frush, Lafferty, and Morhaim**

Introduced and read first time: January 27, 2011

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Alcohol Energy Drinks – Prohibition**

3 FOR the purpose of prohibiting the importation, production, distribution, sale, or offer
4 for sale in the State of an alcoholic beverage commonly referred to as an alcohol
5 energy drink to which the manufacturer has directly added caffeine or certain
6 other substances as separate ingredients; providing a certain penalty; and
7 generally relating to alcoholic beverages.

8 BY adding to

9 Article 2B – Alcoholic Beverages

10 Section 16–505.2

11 Annotated Code of Maryland

12 (2005 Replacement Volume and 2010 Supplement)

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

15 **Article 2B – Alcoholic Beverages**

16 **16–505.2.**

17 **(A) AN ALCOHOLIC BEVERAGE COMMONLY REFERRED TO AS AN**
18 **“ALCOHOL ENERGY DRINK” TO WHICH THE MANUFACTURER HAS DIRECTLY**
19 **ADDED CAFFEINE, GUARANA, TAURINE, OR OTHER SIMILAR SUBSTANCE AS A**
20 **SEPARATE INGREDIENT MAY NOT BE IMPORTED INTO THE STATE OR**
21 **PRODUCED, DISTRIBUTED, SOLD, OR OFFERED FOR SALE IN THE STATE.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) (1) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A**
2 **MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING**
3 **\$1,000.**

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

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 July 1, 2011.