

# HOUSE BILL 86

A2

3lr0773

---

By: **Delegate B. Robinson**

Introduced and read first time: January 14, 2013

Assigned to: Economic Matters

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Alcoholic Beverages – Licensed Establishments – Sales to**  
3 **Minors**

4 FOR the purpose of prohibiting holders of certain alcoholic beverages licenses in  
5 Baltimore City from selling any item, including nonalcoholic merchandise, to  
6 individuals under the age of 18 years; prohibiting a person from requesting or  
7 inducing an individual under the age of 18 years to purchase an item from a  
8 certain license holder; prohibiting an individual under the age of 18 years from  
9 knowingly making a misrepresentation as to the individual's age for a certain  
10 purpose; providing a certain penalty; requiring that an individual under the age  
11 of 18 years who commits a certain violation be issued a citation and be subject  
12 to certain procedures and dispositions; and generally relating to alcoholic  
13 beverages establishments in Baltimore City.

14 BY adding to  
15 Article 2B – Alcoholic Beverages  
16 Section 12–108(g)  
17 Annotated Code of Maryland  
18 (2011 Replacement Volume and 2012 Supplement)

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

21 **Article 2B – Alcoholic Beverages**

22 12–108.

23 **(G) (1) THIS SUBSECTION APPLIES ONLY TO A HOLDER IN**  
24 **BALTIMORE CITY OF:**

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                   **(I) A CLASS A BEER, WINE AND LIQUOR LICENSE;**

2                   **(II) A CLASS A-2 BEER, WINE AND LIQUOR OFF-SALE**  
3 **PACKAGE GOODS LICENSE; OR**

4                   **(III) A CLASS B-D-7 BEER, WINE AND LIQUOR LICENSE**  
5 **WHOSE AVERAGE DAILY RECEIPTS FROM SALES OF ALCOHOLIC BEVERAGES FOR**  
6 **OFF-PREMISES CONSUMPTION EXCEEDS 40% OF THE LICENSE HOLDER'S TOTAL**  
7 **AVERAGE DAILY RECEIPTS FROM ALL SALES OF ALCOHOLIC BEVERAGES.**

8                   **(2) A LICENSE HOLDER COVERED UNDER THIS SUBSECTION MAY**  
9 **NOT SELL ANY ITEM, INCLUDING FOOD, GOODS, AND OTHER MERCHANDISE, TO**  
10 **AN INDIVIDUAL UNDER THE AGE OF 18 YEARS.**

11                   **(3) A PERSON MAY NOT REQUEST OR INDUCE AN INDIVIDUAL**  
12 **UNDER THE AGE OF 18 YEARS TO PURCHASE ANY ITEM, INCLUDING FOOD,**  
13 **GOODS, AND OTHER NONALCOHOLIC MERCHANDISE, FROM A LICENSE HOLDER**  
14 **COVERED UNDER THIS SUBSECTION.**

15                   **(4) AN INDIVIDUAL UNDER THE AGE OF 18 YEARS MAY NOT**  
16 **KNOWINGLY MAKE A MISREPRESENTATION AS TO THE AGE OF THE INDIVIDUAL**  
17 **TO PURCHASE ANY ITEM, INCLUDING FOOD, GOODS, AND OTHER**  
18 **NONALCOHOLIC MERCHANDISE FROM A LICENSE HOLDER COVERED UNDER**  
19 **THIS SUBSECTION.**

20                   **(5) A LICENSE HOLDER OR ANY OTHER PERSON WHO VIOLATES**  
21 **PARAGRAPH (2) OR (3) OF THIS SUBSECTION IS GUILTY OF A MISDEMEANOR AND**  
22 **ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$500.**

23                   **(6) AN INDIVIDUAL WHO VIOLATES PARAGRAPH (4) OF THIS**  
24 **SUBSECTION SHALL BE ISSUED A CITATION AND BE SUBJECT TO THE**  
25 **PROCEDURES AND DISPOSITIONS PROVIDED IN TITLE 3, SUBTITLE 8A OF THE**  
26 **COURTS ARTICLE.**

27                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 July 1, 2013.