

# SENATE BILL 324

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8lr2707  
CF 8lr1288

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By: **Washington County Senators**

Introduced and read first time: January 24, 2018

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Washington County – Alcoholic Beverages – Serving Underage Individuals –**  
3 **Penalties**

4 FOR the purpose of prohibiting the Washington County Board of License Commissioners  
5 from proceeding administratively against an employee of a license holder who  
6 violates the prohibition against selling or providing alcoholic beverages to an  
7 individual under the age of 21 years until after the employee is granted probation  
8 before judgment or found guilty of the violation; and generally relating to alcoholic  
9 beverages in Washington County.

10 BY repealing and reenacting, without amendments,  
11 Article – Alcoholic Beverages  
12 Section 6–304 and 31–102  
13 Annotated Code of Maryland  
14 (2016 Volume and 2017 Supplement)

15 BY repealing and reenacting, with amendments,  
16 Article – Alcoholic Beverages  
17 Section 31–2702  
18 Annotated Code of Maryland  
19 (2016 Volume and 2017 Supplement)

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

22 **Article – Alcoholic Beverages**

23 6–304.

24 A license holder or an employee of the license holder may not sell or provide alcoholic  
25 beverages to an individual under the age of 21 years.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 31-102.

2 This title applies only in Washington County.

3 31-2702.

4 (a) A license holder or an employee of a license holder who is charged with a  
5 violation of § 6-304 of this article:

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

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

9 (b) A license holder or an employee of a license holder may not be found guilty of  
10 a violation of § 6-304 of this article if:

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

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

15 (c) (1) A violation of § 6-304 of this article is a misdemeanor.

16 (2) If an employee of a license holder violates § 6-304 of this article, the  
17 Board may impose on the employee a fine not exceeding:

18 (i) for a first offense, \$200; and

19 (ii) for each subsequent offense, \$500.

20 (3) If a license holder violates § 6-304 of this article, the Board may impose  
21 a fine not exceeding \$2,500, suspend or revoke the license, or impose both a fine and  
22 suspend or revoke the license.

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

26 **(E) THE BOARD MAY NOT PROCEED ADMINISTRATIVELY AGAINST AN**  
27 **EMPLOYEE OF A LICENSE HOLDER FOR A VIOLATION OF § 6-304 OF THIS ARTICLE**  
28 **UNTIL AFTER THE EMPLOYEE IS GRANTED PROBATION BEFORE JUDGMENT OR**  
29 **FOUND GUILTY OF THE VIOLATION.**

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July

1 1, 2018.