

# CONGRESSIONAL TESTIMONY

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## **Laws Should Not Prevent Kids from Being Kids Selling Lemonade on Private Property Should Not be a Crime**

### **Testimony before The Maryland House Environment and Transportation Committee**

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My name is Rachel Greszler. I am a Research Fellow in Economics, Budgets, and Entitlements at The Heritage Foundation. The views I express in this testimony are my own and should not be construed as representing any official position of The Heritage Foundation.

Although my education and line of work are economics and public policy, I am here today as a Montgomery county Maryland resident and a mother of six children between the ages of two and 12.

One of my children's favorite things to do is to set up a lemonade stand on a hot summer day, or a hot chocolate stand on a cold winter day. They've even dug up white crystal rocks in the backyard and labeled them as "gems" for sale. They've since learned that the market for gems is lacking.

There's something about the opportunity to work on their own to make a product (even if that does just involve mixing powder and water), to set up the table and make the sign, and to divvy up the duties of collecting the cups,

pouring the lemonade, and making change for the customers from their sales. When business is slow, they sometimes even have a recruitment team that goes door-to-door to get the word out.

This straight-up-childhood experience is exciting for my children, and a joy for me as a parent, being able to sit back and watch my kids—often with friends in tow—work so well together, and interact with neighbors and passersby.

I remember taking a picture of one springtime lemonade stand as I sat rocking on the porch with my youngest in my lap and texting my husband with the caption "life is good."

I am sure this will not come as a surprise to other parents, but my kids don't always get along. But they do when they are selling lemonade or hot chocolate, or when they are shoveling snow from neighbors' driveways.

Something else about my kids, and I think most kids, is that they have great respect for police officers. They admire these men and women in

uniform who protect them from the bad guys and who catch and bring justice to people who break the law.

If—as happened two miles up the road from my house—a police officer showed up and shut down their lemonade stand, indicating that they are the bad guys breaking the law, this would shatter my kids’ view of police officers, and of the law in general.

Our laws and law enforcement officers are meant to protect people from those who seek to do harm. No child is going to understand how making and selling lemonade on their front yard could harm someone, or how wanting to do this is a bad thing. At least one of my children would question the legitimacy of that law, and then likely other laws. Two of them who are particularly sensitive—especially to their own wrongdoings—would be crushed by this experience, perhaps even running inside with tears.

There are so many benefits to letting kids test their skills as mini-entrepreneurs and there

needs to be a space for them to do so, without fear of fines or even incarceration.

Anyone who comes upon a kids’ lemonade, hot chocolate, or “rare gems” stand knows that’s what’s being offered for sale hasn’t been inspected by a food safety commission and doesn’t come with any product guarantees—and they are free to smile and say no thank you.

With Maryland’s slogan “We’re Open for Business,” local lawmakers should not put up barriers to children engaging in small-scale and harmless entrepreneurship.

Although Maryland has a ways to go when it comes to competing with neighboring states to attract businesses that provide jobs and help our economy grow, House Bill 961—which would protect blameless children from criminalization and fines for selling nonalcoholic beverages on private property—is one step in the right direction. Beyond that, Maryland policymakers should look for additional ways to eliminate overcriminalization and over-regulation.

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