

of any alleged violation of this subsection, this finding operates as a complete bar to any proceeding by any alcoholic beverage law enforcement or licensing authorities against the licensee on account of the alleged violation.

(c) (1) This subsection applies only in the following counties:

- (i) CAROLINE COUNTY;
- (II) Carroll County;
- [(ii)] (III) Frederick County;
- [(iii)] (IV) Harford County;
- [(iv)] (V) Somerset County;
- [(v)] (VI) Talbot County; and
- [(vi)] (VII) Wicomico County.

(2) A licensee under the provisions of this article, or any of the licensee's employees, may not sell or furnish any alcoholic beverages at any time to a person under 21 years of age, either for that person's own use or for the use of any other person, or to any person who, at the time of such sale or delivery, is visibly under the influence of any alcoholic beverage.

(3) The Liquor Control Board of Harford County may not find a licensee guilty of violating this section if the licensee or employee of the licensee who is accused of selling or furnishing alcoholic beverages to a person under 21 years of age exercised due caution to establish that the person was not, in fact, a person under 21 years of age.

(4) In Harford County, a licensee who is charged with selling or furnishing alcoholic beverages to an underage person may not be found in violation of paragraph (2) of this subsection if the licensee establishes to the satisfaction of the judge, jury, or Liquor Control Board that the licensee used due caution to establish that the person was not, in fact, underage.

(5) The provisions of subsection (a) of this section do not apply to the counties which are listed in paragraph (1) of this subsection and the law in these counties shall remain in the same force and effect as if not amended by this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2002.

Approved May 6, 2002.