

*of another person or property and no person in the State of Maryland shall BE INTOXICATED OR drink any alcoholic beverage IN A PUBLIC PLACE OR IN OR UPON ANY PUBLIC CONVEYANCE and cause a public disturbance, or act in a disorderly manner to the disturbance of the public peace, upon any public street, [or] highway, alley, park or parking lot, or in any vehicle that is in or upon any street, highway, alley, park or parking lot, in any city, town or county in this State, or at any place of public worship or public resort or amusement in any city, town or county of this State, or in any store during business hours, or in any elevator, lobby or corridor of any office building or apartment house having more than three separate dwelling units in any city, town or county of this State, and any person who drinks, or has in his possession, any intoxicating beverages while in attendance as a spectator or otherwise, at any place where an elementary school, junior high school or high school athletic contest is taking place; provided, that any such person shall first be requested by the law enforcement officer to discontinue his drinking and public disturbance, and that no such person shall be charged with a violation of this section if he promptly discontinues such drinking and public disturbance upon the first such request.*

*Any person violating the prohibitions of this section shall be deemed guilty of a misdemeanor; and upon conviction thereof, shall be subject to a fine of not more than fifty dollars, or be confined in jail for a period of not more than sixty days or be both fined and imprisoned in the discretion of the court. [Habitual offenders may be fined not more than one hundred dollars or committed to jail or the Maryland House of Correction for not more than six months. An habitual offender is a person who shall have been convicted under the provisions of this section five (5) times in the preceding twelve (12) months. The trial magistrates of the respective counties of this State shall have concurrent jurisdiction over such offense with the circuit court for their respective counties.]*

*A person who shall have been convicted or have forfeited collateral under the provisions of this section three (3) times in the preceding twelve (12) months shall be deemed a habitual offender and may be committed by the court to an appropriate treatment facility. The trial magistrates and the Judges of the People's Courts of the respective counties of this State shall have concurrent jurisdiction over such offense with the Circuit Court for their respective counties. Any member of a city, town, or county or State police force may, in lieu of making an arrest for violation of the section herein, take or send an intoxicated person to his home or to a public or private health facility; provided, that the law enforcement officer may take reasonable measures to ascertain the public transportation used for such purposes is paid for by such person in advance.*

(B) NO PERSON SHALL DRINK OR HAVE IN HIS POSSESSION, ANY INTOXICATING BEVERAGES WHILE IN ATTENDANCE AS A SPECTATOR OR OTHERWISE, AT ANY PLACE WHERE ANY ELEMENTARY SCHOOL, JUNIOR HIGH SCHOOL OR HIGH SCHOOL ATHLETIC CONTEST IS TAKING PLACE AND CAUSE A PUBLIC DISTURBANCE; PROVIDED THAT ANY SUCH PERSON UNDER (A) OR (B) HEREOF SHALL FIRST BE REQUESTED BY THE LAW ENFORCEMENT OFFICER TO DISCONTINUE HIS DRINKING AND PUBLIC DIS-