

CHAPTER 250

(House Bill 271)

AN ACT concerning

Harford County - A Prize from a Nonfranchise
Retail Merchant

FOR the purpose of enabling a nonfranchise retail merchant in Harford County to give prizes subject to a condition; and clarifying language.

BY repealing and reenacting, with amendments,

Article 27 - Crimes and Punishments
Section 369A(b)
Annotated Code of Maryland
(1976 Replacement Volume and 1976 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 369A(b) of Article 27 - Crimes and Punishments, of the Annotated Code of Maryland (1976 Replacement Volume and 1976 Supplement) be and it is hereby repealed and reenacted, with amendments, to read as follows:

Article 27 - Crimes and Punishments

369A.

(b) (1) [No] A retail establishment regulated or licensed pursuant to the provisions contained in Article 56 [of the Annotated Code of Maryland] may NOT use any game, contests, lottery or other scheme or device, whereby a person or persons may receive gifts, prizes or gratuities as determined by chance for the purpose of promoting, furthering or advertising the sale of any product or service of whatsoever nature or kind. The fact that no purchase is required in order to participate in the game, contest, lottery or scheme does not exclude the game, contest, lottery or scheme from the provisions of this section.

(2) [Nothing in this] THIS section [shall] MAY NOT be construed as preventing any nonfranchise retail merchant in the following counties from giving away any prize or prizes by the act of drawing of a name or names if no purchase or consideration is required to qualify for the prize or prizes:

Anne Arundel County

Calvert County

Caroline County