

CHAPTER 473

(House Bill 1652)

AN ACT concerning

Alcoholic Beverages Licenses - Free Food Exceptions

FOR the purpose of including free hors d'oeuvres among the exceptions to the law that imposes a criminal penalty on alcoholic beverages licensees for giving or offering free food on the premises for certain purposes; and clarifying language.

BY repealing and reenacting, with amendments,

Article 2B - Alcoholic Beverages
Section 113
Annotated Code of Maryland
(1981 Replacement Volume and 1984 Supplement)

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

Article 2B - Alcoholic Beverages

113.

Any person engaged in the sale or barter of spirituous, malt or intoxicating liquors, and licensed under the laws of Maryland, to engage in such sale or barter, who shall directly or indirectly give or offer to anyone visiting the premises of such licensed person, where spirituous, malt or intoxicating liquors of any kind are sold or bartered, or offered for sale or barter, any viands, food or lunch of any character, except as hereinafter provided, for the purpose of inducing, procuring or influencing the person to whom the same may be offered, to purchase in any quantity, spirituous, malt or intoxicating liquor to be drunk on the premises of such licensed person, shall be deemed guilty of a misdemeanor, and on conviction, shall be punishable by a fine of not more than [ten dollars (\$10.00)] \$10 for each offense; provided, however, that this section [shall not] MAY NOT operate to prohibit the placing on the counters of such licensed person, HORS D'OEUVRES, pretzels, cheese or crackers for the use, without cost thereto, of the patrons of such licensed person; and provided further, that the placing by such licensed person of any viands, food or lunch, other than hereinbefore excepted at any place on his premises for the free use of his patrons, shall be prima facie evidence of a violation of this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1985.