

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

**Article 2B - Alcoholic Beverages**

~~12-108.~~

~~(a) (1) A licensee licensed under this article, or any employee of the licensee, may not sell or furnish any alcoholic beverages at any time to a person under 21 years of age:~~

~~(i) For the underage person's own use or for the use of any other person; or~~

~~(ii) To any person who, at the time of the sale, or delivery, is visibly under the influence of any alcoholic beverage.~~

~~(2) Any licensee or any employee of the licensee who is charged with a violation of this subsection shall receive a summons to appear in court on a certain day to answer the charges placed against that person. The person charged may not be required to post bail bond pending trial in any court of this State.~~

~~(3) (i) [A] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, A licensee or employee of the licensee violating any of the provisions of this subsection is guilty of a misdemeanor and, upon conviction, suffers the CRIMINAL penalties provided by § 16-503 of this article.~~

~~(II) IN CHARLES COUNTY, A LICENSEE OR EMPLOYEE OF THE LICENSEE VIOLATING ANY OF THE PROVISIONS OF THIS SUBSECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO:~~

~~A. THE CRIMINAL PENALTIES UNDER § 16-503 OF THIS ARTICLE; OR~~

~~B. THE CIVIL FINE FOR EMPLOYEES PROVIDED BY SUBSECTION (C) OF THIS SECTION.~~

~~(ii) A licensee or employee of the licensee who is charged with selling or furnishing any alcoholic beverages to a person under 21 years of age may not be found guilty of a violation of this subsection, if the person establishes to the satisfaction of the jury or the court sitting as a jury that the person used due caution to establish that the person under 21 years of age was not, in fact, a person under 21 years of age if a nonresident of the State.~~

~~(iii) If the person is a resident of the State of Maryland, the licensee or employee of the licensee may accept, as proof of a person's age, the display of the person's driver's license or identification card as provided for in the Maryland Vehicle Law.~~

~~(iv) Except as otherwise provided in this section, if any licensee or employee of the licensee is found not guilty, or placed on probation without a verdict, of any alleged violation of this subsection, this finding operates as a complete bar to~~