

underage person or for the use of any other person, either with or without the written order or consent of the parent or guardian of the person.

(2) Any person violating the provisions of this subsection is guilty of A MUNICIPAL INFRACTION AS PROVIDED IN THE CODE OF THE CITY OF ANNAPOLIS ~~OR a misdemeanor~~, and upon conviction shall be fined not more than \$100, or be imprisoned in jail for not more than 60 days, or be both fined and imprisoned in the discretion of the court].

(3) If any underage person wilfully represents that he is of full age and obtains any spirituous liquors, and the person selling the spirituous liquor is able to prove at the trial such misrepresentation, and that due caution was used in ascertaining the age of the underage person before giving the alcohol to the underage person and that in the exercise of reasonable caution he was deceived by the use of documentary evidence and that for this reason he was unable to ascertain that the underage person was in fact an underage person, then the person selling to the underage person shall be acquitted of the charge.

16-410.

(b) (2) (i) All summonses shall be served by the sheriff, except that:

1. IN THE CITY OF ANNAPOLIS, SUMMONSES MAY ALSO BE SERVED BY THE ANNAPOLIS POLICE DEPARTMENT;

2. In Anne Arundel County, summonses may also be served by inspectors employed by the Board and by the Anne Arundel County Police Department; and

[2.] 3. In Baltimore City, summonses may also be served by inspectors employed by the Board of Liquor License Commissioners for Baltimore City.

(ii) If any witness summoned refuses or neglects to attend, or if attending, refuses to testify, the official issuing the summons shall report the facts to the circuit court for the county. The court shall proceed by attachment against the witness in all respects as if the witness summoned to appear in the court in a case pending before it had neglected or refused to do so.

~~16-507.~~

~~(e) (2) In the City of Annapolis, the Board of License Commissioners may impose a fine of not more than \$1,000 [in lieu of suspension of] OR a license SUSPENSION OR BOTH for any violation that is cause for suspension under the alcoholic beverage laws of the city.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2003.

Approved May 13, 2003.