

Approved May 16, 2002.

---

**CHAPTER 544**

**(House Bill 800)**

AN ACT concerning

**Alcoholic Beverages – Sale to Underage Drinker or Intoxicated Person – Citation**

FOR the purpose of authorizing a police officer to issue a citation for the unlawful sale of an alcoholic beverage to an underage drinker or an intoxicated person; and generally relating to the sale of alcoholic beverages to underage drinkers or intoxicated persons.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 12-108

Annotated Code of Maryland

(2001 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 4-101(b)

Annotated Code of Maryland

(2001 Volume)

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.