

(5) In Garrett County, however, Sunday sales when New Year's Eve or New Year's Day fall on a Sunday shall be governed by § 89 (j) of this article.

(6) In Wicomico County, however, when New Year's Eve or New Year's Day falls on a Sunday, Sunday sales shall be governed by § 89 (k) of this article.

118(a-1)

No licensee under the provisions of this article, or any of his employees, in Worcester County, shall sell or furnish any alcoholic beverages at any time to a minor under twenty-one years of age, either for his own use or for the use of any other person, or to any person who at the time of such sale, or delivery, is visibly under the influence of alcoholic beverages. Any licensee or employee of a licensee who is to be charged with a violation of this offense may be proceeded against in Worcester County either upon a [a] charging document duly issued by the District Court for Worcester County or by an indictment duly returned by the grand jury of said county. Any person violating any of the provisions of this subsection shall be guilty of a misdemeanor and, upon the conviction thereof, shall suffer the penalties provided by § 200 of this article. However, any person charged with selling or furnishing alcoholic beverages to a minor under twenty-one years of age shall not be found guilty of a violation of this subsection if such person establishes to the satisfaction of the jury or court sitting as a jury that he used due caution to establish that such minor under twenty-one years of age was not, in fact, a minor under twenty-one years of age. If any licensee shall be found not guilty, or placed on probation without a verdict, of any alleged violation of this subsection, such finding shall operate as a complete bar to any proceeding by any alcoholic beverage law enforcement or licensing authorities on account of such violation. This subsection shall apply solely to Worcester County and shall stand in place and stead of subsection 118 (a) of this article as said subsection applies generally to the counties of this State.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1973.

Approved April 26, 1973.

CHAPTER 71

(Senate Bill 520)

AN ACT to repeal and re-enact, with amendments, Section 261(a) of Article 56 of the Annotated Code of Maryland (1972 Replacement Volume), title "Licenses," subtitle "Home-Improvement Law," to eliminate the necessity of showing willful or deliberate violation of the home-improvement law in order to revoke or suspend a license.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 261(a) of Article 56 of the Annotated Code of Maryland (1972 Replacement Volume), title "Licenses," subtitle "Home-Improvement Law," be and it is hereby repealed and re-enacted, with amendments, to read as follows: