

**§ 10-114. Underage possession.**

(a) *Prohibition.*- Except as provided in subsection (b)(1) of this section, and subject to subsection (b)(2) of this section, an individual under the age of 21 years may not:

(1) possess or have under the individual's charge or control an alcoholic beverage unless the individual is a bona fide employee of the license holder as defined in Article [2B](#), § [1-102 of the](#) Code and the alcoholic beverage is in the possession or under the charge or control of the individual in the course of the individual's employment and during regular working hours; or

(2) consume an alcoholic beverage

(b) *Exception.*-

(1) The prohibitions set forth in subsection (a)(1) and (2) of this section do not apply if:

(i) 1. an adult furnishes the alcoholic beverage to the individual or allows the individual to possess or consume the alcoholic beverage;

2. the individual possessing or consuming the alcoholic beverage and the adult who furnished the alcoholic beverage to the individual or allowed the individual to possess or consume the alcoholic beverage are members of the same immediate family; and

3. the alcoholic beverage is furnished and consumed in a private residence of the adult or within the curtilage of the residence; or

(ii) the individual consumes the alcoholic beverage as a participant in a religious ceremony.

(2) An individual may not be stopped on suspicion of a violation of subsection (a)(2) of this section or charged with a violation of subsection (a)(2) of this section unless the individual is observed in possession of an alcoholic beverage.

[An. Code 1957, art. 27, § 400A; 2002, ch. 26, §§ 4, 12; ch. 213, § 1; 2003, ch. 21, § 1; 2009, ch. 499.]