SENATE BILL 361

A2   EMERGENCY BILL   5lr1819

By: **Calvert County Senators**
Introduced and read first time: February 6, 2015
Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Calvert County – Alcoholic Beverages – Bottle Clubs – Prohibited**

3 FOR the purpose of defining a "bottle club" in Calvert County to mean certain
4   establishments where certain persons undertake certain activities under certain
5   circumstances; prohibiting a person from operating a bottle club in the county;
6   prohibiting certain activities with respect to alcoholic beverages at a bottle club in
7   the county; providing that certain entities may not be considered a bottle club for
8   certain purposes under certain conditions; providing a certain penalty for a violation
9   of this Act; making this Act an emergency measure; and generally relating to
10   alcoholic beverages in Calvert County.

11 BY repealing and reenacting, with amendments,
12   Article 2B – Alcoholic Beverages
13   Section 20–103.1
14   Annotated Code of Maryland
15   (2011 Replacement Volume and 2014 Supplement)

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

18   **Article 2B – Alcoholic Beverages**

19 20–103.1.

20   (a)   **IN THIS SECTION, "BOTTLE CLUB" MEANS:**

21   **(1)   A RESTAURANT OR EATERY:**

22   **(I)   THAT:**

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
    [Brackets] indicate matter deleted from existing law.

1   1.   IS NOT LICENSED UNDER THIS ARTICLE;

2   2.   SERVES, GIVES, OR DISPENSES AN ALCOHOLIC
3   BEVERAGE TO A MEMBER OR GUEST;

4   3.   KEEPS AN ALCOHOLIC BEVERAGE FOR A MEMBER OR
5   GUEST; AND

6   4.   ALLOWS A MEMBER OR GUEST ON ITS PREMISES TO
7   CONSUME AN ALCOHOLIC BEVERAGE THAT THE MEMBER OR GUEST RESERVES OR
8   PURCHASES OR THAT THE MEMBER OR GUEST BRINGS TO THE PREMISES; AND

9   (II)   WHERE A PATRON IS SERVED, GIVEN, OR ALLOWED TO
10   CONSUME AN ALCOHOLIC BEVERAGE AFTER LEGAL CLOSING HOURS FROM A
11   SUPPLY THAT THE PATRON HAS PREVIOUSLY PURCHASED OR RESERVED; OR

12   (2)   A NIGHTCLUB :

13   (I)   THAT:

14   1.   IS NOT LICENSED UNDER THIS ARTICLE;

15   2.   PROVIDES   OR   OFFERS   ANY   FORM   OF
16   ENTERTAINMENT TO THE MEMBERS OF THE NIGHTCLUB OR TO THE PUBLIC;

17   3.   SERVES, GIVES, OR DISPENSES AN ALCOHOLIC
18   BEVERAGE TO A MEMBER OR GUEST;

19   4.   KEEPS AN ALCOHOLIC BEVERAGE FOR A MEMBER OR
20   GUEST; AND

21   5.   ALLOWS A MEMBER OR GUEST ON THE PREMISES OF
22   THE NIGHTCLUB TO CONSUME AN ALCOHOLIC BEVERAGE THAT THE MEMBER OR
23   GUEST RESERVES OR PURCHASES OR THAT THE MEMBER OR GUEST BRINGS TO THE
24   PREMISES; AND

25   (II)   WHERE A PATRON IS SERVED, GIVEN, OR ALLOWED TO
26   CONSUME AN ALCOHOLIC BEVERAGE AFTER LEGAL CLOSING HOURS FROM A
27   SUPPLY THAT THE PATRON HAS PREVIOUSLY PURCHASED OR RESERVED.

28   (B)   This section applies only in Calvert County.

1 　**[**(b)**] (C)** 　**[**(1) 　Except as provided in paragraph (2) of this subsection, an
2 establishment that is not licensed by the Board of License Commissioners**] A PERSON** may
3 not **[**give**]:**

4 　　　　**(1)** 　**OPERATE A BOTTLE CLUB IN THE COUNTY; OR**

5 　　　　**(2)** 　**GIVE**, serve, dispense, keep, or allow to be consumed on its premises,
6 or on premises under its control or possession, any alcoholic beverages **AT A BOTTLE CLUB**
7 **IN THE COUNTY**.

8 　　　　**[**(2)**] (D)** 　A volunteer fire department, rescue squad, or emergency medical
9 services organization **[**may conduct**] THAT CONDUCTS** no more than four events each year
10 to which individuals may bring alcoholic beverages to be consumed on the premises or on
11 premises under the control or possession of the volunteer fire department, rescue squad, or
12 emergency medical services organization **MAY NOT BE CONSIDERED A BOTTLE CLUB**
13 **FOR PURPOSES OF THIS SECTION**.

14 　**[**(c)**] (E)** 　A person that violates this section is guilty of a misdemeanor and on
15 conviction is subject to a fine not exceeding $10,000 or imprisonment not exceeding 2 years
16 or both.

17 　SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
18 measure, is necessary for the immediate preservation of the public health or safety, has
19 been passed by a yea and nay vote supported by three–fifths of all the members elected to
20 each of the two Houses of the General Assembly, and shall take effect from the date it is
21 enacted.