

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 361

(Calvert County Senators)

Education, Health, and Environmental Affairs

Economic Matters

Calvert County - Alcoholic Beverages - Bottle Clubs

This bill defines a “bottle club” in Calvert County and prohibits a bottle club that is not licensed by the Calvert County Board of License Commissioners from giving, serving, dispensing, keeping, or allowing to be consumed any alcoholic beverages on its premises or on a premises under its control or possession.

The bill takes effect July 1, 2015.

Fiscal Summary

State Effect: The application of an existing criminal penalty provision to the bill’s prohibition does not have a material impact on State finances or operations.

Local Effect: The Calvert County Board of License Commissioners and local law enforcement units can enforce the bill with existing resources. The application of an existing criminal penalty to the bill’s prohibition does not materially affect local finances or operations.

Small Business Effect: Minimal.

Analysis

Bill Summary: A “bottle club” is defined as, and limited to, an establishment that is (1) a restaurant that accommodates the public and is equipped with a dining room with facilities for preparing and serving regular meals or (2) a nightclub that offers the public music, dancing, or other nighttime entertainment.

Current Law: An establishment that is not licensed by the board may not give, serve, dispense, keep, or allow to be consumed on its premises, or on a premises under its control or possession, any alcoholic beverages.

That prohibition does not apply to a volunteer fire department, rescue squad, or emergency medical services organization; these entities may conduct up to four events each year to which individuals may bring alcoholic beverages to be consumed on the premises or on premises under the control or possession of the entity.

A person who violates the prohibition is guilty of a misdemeanor and on conviction is subject to a fine of up to \$10,000 and/or imprisonment for up to two years.

Background: Ten counties (Caroline, Cecil, Dorchester, Kent, Queen Anne's, St. Mary's, Somerset, Talbot, Wicomico, and Worcester counties) prohibit an unlicensed for-profit business establishment from knowingly allowing customers to bring alcoholic beverages for consumption into the establishment, while Baltimore City and Calvert County generally prohibit an unlicensed establishment from giving, serving, keeping, or allowing to be consumed any alcoholic beverages on its premises.

Ten jurisdictions (Baltimore City and Anne Arundel, Baltimore, Cecil, Charles, Dorchester, Frederick, Montgomery, Prince George's, and St. Mary's counties) restrict or prohibit the operation of bottle clubs. These clubs are generally defined as establishments that allow patrons to consume alcoholic beverages that were purchased off premises. A person who violates bottle club provisions is guilty of a misdemeanor and subject to maximum penalties of two years imprisonment and/or a fine of \$10,000 in Anne Arundel, Baltimore, Charles, Dorchester, Frederick, and Prince George's counties.

Additional Information

Prior Introductions: None.

Cross File: Although not designated as a cross file, HB 544 (Calvert County Delegation – Economic Matters) is identical.

Information Source(s): Calvert County, Department of Legislative Services

Fiscal Note History: First Reader - February 25, 2015
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Analysis by: Nathan W. McCurdy

Direct Inquiries to:
(410) 946-5510
(301) 970-5510