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By: **Senator Dyson**

Introduced and read first time: February 5, 1999

Assigned to: Economic and Environmental Affairs

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A BILL ENTITLED

1 AN ACT concerning

2 **St. Mary's County - Alcoholic Beverages - Bottle Clubs**

3 FOR the purpose of repealing certain provisions relating to bottle clubs in St. Mary's  
4 County and enacting new provisions regulating bottle clubs; prohibiting a bottle  
5 club from selling, giving, serving, dispensing, keeping, or allowing to be  
6 consumed alcoholic beverages and certain other beverages; prohibiting an  
7 unlicensed business from allowing customers to bring alcoholic beverages for  
8 consumption into an unlicensed building; establishing a certain penalty for a  
9 violation of this Act; defining a certain term; and generally relating to bottle  
10 clubs in St. Mary's County.

11 BY repealing  
12 Article 2B - Alcoholic Beverages  
13 Section 20-108  
14 Annotated Code of Maryland  
15 (1998 Replacement Volume and 1998 Supplement)

16 BY adding to  
17 Article 2B - Alcoholic Beverages  
18 Section 20-108  
19 Annotated Code of Maryland  
20 (1998 Replacement Volume and 1998 Supplement)

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

23 **Article 2B - Alcoholic Beverages**

24 [20-108.

25 (a) (1) In this section, "bottle club" means an establishment that gives,  
26 serves, dispenses, keeps, or allows alcoholic beverages to be consumed by patrons  
27 after legal closing hours for establishments licensed under § 11-303 of this article  
28 from supplies that the patrons previously purchased or reserved.

1 (2) "Bottle club" does not include an establishment that is licensed under  
2 the provisions of this article.

3 (b) This section applies only in St. Mary's County.

4 (c) A bottle club may not give, serve, dispense, keep, or allow to be consumed  
5 on its premises, or on premises under its control or possession, any alcoholic  
6 beverages, setups, or other component parts or mixed alcoholic drinks after legal  
7 closing hours or before legal opening hours for establishments licensed under §  
8 11-303 of this article.

9 (d) A person who violates this section is guilty of a misdemeanor and on  
10 conviction is subject to a fine not exceeding \$1,000.]

11 20-108.

12 (A) IT SHALL BE UNLAWFUL IN ST. MARY'S COUNTY FOR ANY "BOTTLE CLUB",  
13 AS DEFINED IN SUBSECTION (B) OF THIS SECTION, OR OTHER PUBLIC CLUB, ROOM,  
14 OR PREMISES WHICH IS TO BE USED OR IS USED AS A "BOTTLE CLUB" TO EVADE THE  
15 ALCOHOLIC BEVERAGE LICENSE LAWS, INCLUDING THOSE LAWS RELATING TO  
16 HOURS OF OPERATION AND THE SALE, GIVING, SERVING, DISPENSING, KEEPING,  
17 AND ALLOWING TO BE CONSUMED ON THE CLUB'S PREMISES OR ON PREMISES  
18 UNDER ITS CONTROL OR IN ITS POSSESSION ANY ALCOHOLIC BEVERAGE, SETUPS, OR  
19 OTHER COMPONENT PARTS OF MIXED ALCOHOLIC DRINKS.

20 (B) AS USED IN THIS SECTION, "BOTTLE CLUB" MEANS ANY CLUB:

21 (1) THAT SERVES, SELLS, GIVES, OR DISPENSES ALCOHOLIC BEVERAGES  
22 TO ITS MEMBERS OR GUESTS;

23 (2) THAT KEEPS FOR ITS MEMBERS OR GUESTS ANY ALCOHOLIC  
24 BEVERAGES;

25 (3) ALLOWS TO BE CONSUMED BY ITS MEMBERS OR GUESTS ON ITS  
26 PREMISES ANY ALCOHOLIC BEVERAGES THAT HAVE BEEN RESERVED OR  
27 PURCHASED BY THE MEMBERS OR GUESTS;

28 (4) AT WHICH PATRONS ARE SERVED, GIVEN, OR ALLOWED TO CONSUME  
29 ALCOHOLIC BEVERAGES AFTER LEGAL CLOSING HOURS FROM THE SUPPLIES THAT  
30 THE PATRONS HAVE PREVIOUSLY PURCHASED OR RESERVED; OR

31 (5) THAT SELLS, DISPENSES, SERVES, KEEPS, OR ALLOWS TO BE  
32 CONSUMED ANY SETUPS OR OTHER COMPONENT PARTS OF MIXED ALCOHOLIC  
33 DRINKS TO ITS MEMBERS OR GUESTS.

34 (C) (1) IN ST. MARY'S COUNTY, ANY PERSON WHO OPERATES A BUSINESS  
35 ESTABLISHMENT FOR PROFIT THAT IS NOT LICENSED UNDER THIS ARTICLE MAY  
36 NOT KNOWINGLY PERMIT CUSTOMERS TO BRING ALCOHOLIC BEVERAGES FOR  
37 CONSUMPTION INTO AN UNLICENSED BUILDING.

1                   (2)       A PERSON WHO VIOLATES ANY PROVISION OF THIS SECTION IS  
2 GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT  
3 EXCEEDING \$1,000.

4       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 October 1, 1999.