

**HB0068/624439/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 68  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Wicomico County –”; in line 4, after “in” insert “Caroline County, Dorchester County, Kent County, Queen Anne’s County, Somerset County, Talbot County,”; in the same line, after “County” insert “, or Worcester County”; in line 8, strike “Wicomico County” and substitute “certain counties”; in line 10, strike “a certain penalty” and substitute “certain penalties”; in line 12, after “in” insert “Caroline County, Dorchester County, Kent County, Queen Anne’s County, Somerset County, Talbot County,”; in the same line, after “County” insert “, and Worcester County”; in line 15, after “Section” insert “20–103.1, 20–107.1, 20–108.2,”; in the same line, after “20–110” insert “, 20–111, 20–112, and 20–113”; and after line 17, insert:

“BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 20–105.1

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 1, insert:

**“20–103.1.**

**(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(Over)

**(2) “PLACE OF PUBLIC ENTERTAINMENT” MEANS A BUSINESS ESTABLISHMENT THAT DOES NOT HOLD A LICENSE UNDER THIS ARTICLE AND THAT ALLOWS ON ITS PREMISES ANY FORM OF ATTIRE OR SEXUAL DISPLAY LISTED UNDER § 10–405(C) THROUGH (F) OF THIS ARTICLE.**

**(3) “SETUPS” INCLUDES DRINKING CONTAINERS AND ICE.**

**(B) THIS SECTION APPLIES ONLY IN CAROLINE COUNTY.**

**(C) (1) A PERSON MAY NOT SERVE OR DISPENSE SETUPS OR SERVE, DISPENSE, KEEP, OR ALLOW TO BE CONSUMED ANY ALCOHOLIC BEVERAGES OR OTHER COMPONENT PARTS OF MIXED ALCOHOLIC DRINKS IN A PLACE OF PUBLIC ENTERTAINMENT.**

**(2) A PERSON WHO OPERATES A BUSINESS ESTABLISHMENT FOR PROFIT THAT IS NOT LICENSED UNDER THIS ARTICLE MAY NOT KNOWINGLY ALLOW CUSTOMERS TO BRING ALCOHOLIC BEVERAGES FOR CONSUMPTION INTO THE ESTABLISHMENT.**

**(D) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 2 YEARS OR A FINE NOT EXCEEDING \$10,000 OR BOTH.**

20–105.1.

**(a) (1) In this [section,] SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(2) [“bottle] “BOTTLE club” means a club, room, or premises:**

[(1)] (I) That serves, sells, gives, or dispenses alcoholic beverages to its members or guests;

[(2)] (II) That keeps for its members or guests any alcoholic beverages;

[(3)] (III) That allows to be consumed by its members or guests on its premises any alcoholic beverages that have been reserved or purchased by the members or guests;

[(4)] (IV) At which patrons are served, given, or allowed to consume alcoholic beverages after legal closing hours from the supplies that the patrons have previously purchased or reserved; or

[(5)] (V) That sells, dispenses, or serves to, keeps for, or allows to be consumed any setups or other component parts of mixed alcoholic drinks by its members or guests.

**(3) “PLACE OF PUBLIC ENTERTAINMENT” MEANS A BUSINESS ESTABLISHMENT THAT DOES NOT HOLD A LICENSE UNDER THIS ARTICLE AND THAT ALLOWS ON ITS PREMISES ANY FORM OF ATTIRE OR SEXUAL DISPLAY LISTED UNDER § 10-405(C) THROUGH (F) OF THIS ARTICLE.**

**(4) “SETUPS” INCLUDES DRINKING CONTAINERS AND ICE.**

(b) This section applies only in Dorchester County.

(c) A bottle club may not evade the alcoholic beverage license laws, including those laws relating to hours of operation and the sale, giving, serving, dispensing, keeping, and allowing to be consumed on the premises of the club or on premises

under its control or in its possession any alcoholic beverage, setups, or other component parts of mixed alcoholic drinks.

(d) (1) A person who operates a business establishment for profit that is not licensed under this article may not knowingly allow customers to bring alcoholic beverages for consumption into an unlicensed building.

**(2) A PERSON MAY NOT SERVE OR DISPENSE SETUPS OR SERVE, DISPENSE, KEEP, OR ALLOW TO BE CONSUMED ANY ALCOHOLIC BEVERAGES OR OTHER COMPONENT PARTS OF MIXED ALCOHOLIC DRINKS IN A PLACE OF PUBLIC ENTERTAINMENT.**

(e) On the filing of an application for a waiver of this section, the Board of License Commissioners may grant the waiver.

(f) The Board of License Commissioners shall adopt regulations to implement this section.

(g) A person who violates this section is guilty of a misdemeanor and on conviction is subject to IMPRISONMENT NOT EXCEEDING 2 YEARS OR a fine not exceeding \$10,000 OR BOTH.

**20-107.1.**

**(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(2) "PLACE OF PUBLIC ENTERTAINMENT" MEANS A BUSINESS ESTABLISHMENT THAT DOES NOT HOLD A LICENSE UNDER THIS ARTICLE AND THAT ALLOWS ON ITS PREMISES ANY FORM OF ATTIRE OR SEXUAL DISPLAY LISTED UNDER § 10-405(C) THROUGH (F) OF THIS ARTICLE.**

(3) "SETUPS" INCLUDES DRINKING CONTAINERS AND ICE.

(B) THIS SECTION APPLIES ONLY IN KENT COUNTY.

(C) (1) A PERSON MAY NOT SERVE OR DISPENSE SETUPS OR SERVE, DISPENSE, KEEP, OR ALLOW TO BE CONSUMED ANY ALCOHOLIC BEVERAGES OR OTHER COMPONENT PARTS OF MIXED ALCOHOLIC DRINKS IN A PLACE OF PUBLIC ENTERTAINMENT.

(2) A PERSON WHO OPERATES A BUSINESS ESTABLISHMENT FOR PROFIT THAT IS NOT LICENSED UNDER THIS ARTICLE MAY NOT KNOWINGLY ALLOW CUSTOMERS TO BRING ALCOHOLIC BEVERAGES FOR CONSUMPTION INTO THE ESTABLISHMENT.

(D) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 2 YEARS OR A FINE NOT EXCEEDING \$10,000 OR BOTH.

20-108.2.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "PLACE OF PUBLIC ENTERTAINMENT" MEANS A BUSINESS ESTABLISHMENT THAT DOES NOT HOLD A LICENSE UNDER THIS ARTICLE AND THAT ALLOWS ON ITS PREMISES ANY FORM OF ATTIRE OR SEXUAL DISPLAY LISTED UNDER § 10-405(C) THROUGH (F) OF THIS ARTICLE.

(3) "SETUPS" INCLUDES DRINKING CONTAINERS AND ICE.

(Over)

(B) THIS SECTION APPLIES ONLY IN QUEEN ANNE’S COUNTY.

(C) (1) A PERSON MAY NOT SERVE OR DISPENSE SETUPS OR SERVE, DISPENSE, KEEP, OR ALLOW TO BE CONSUMED ANY ALCOHOLIC BEVERAGES OR OTHER COMPONENT PARTS OF MIXED ALCOHOLIC DRINKS IN A PLACE OF PUBLIC ENTERTAINMENT.

(2) A PERSON WHO OPERATES A BUSINESS ESTABLISHMENT FOR PROFIT THAT IS NOT LICENSED UNDER THIS ARTICLE MAY NOT KNOWINGLY ALLOW CUSTOMERS TO BRING ALCOHOLIC BEVERAGES FOR CONSUMPTION INTO THE ESTABLISHMENT.

(D) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 2 YEARS OR A FINE NOT EXCEEDING \$10,000 OR BOTH.

20-110.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “PLACE OF PUBLIC ENTERTAINMENT” MEANS A BUSINESS ESTABLISHMENT THAT DOES NOT HOLD A LICENSE UNDER THIS ARTICLE AND THAT ALLOWS ON ITS PREMISES ANY FORM OF ATTIRE OR SEXUAL DISPLAY LISTED UNDER § 10-405(C) THROUGH (F) OF THIS ARTICLE.

(3) “SETUPS” INCLUDES DRINKING CONTAINERS AND ICE.

(B) THIS SECTION APPLIES ONLY IN SOMERSET COUNTY.

(C) (1) A PERSON MAY NOT SERVE OR DISPENSE SETUPS OR SERVE, DISPENSE, KEEP, OR ALLOW TO BE CONSUMED ANY ALCOHOLIC BEVERAGES OR OTHER COMPONENT PARTS OF MIXED ALCOHOLIC DRINKS IN A PLACE OF PUBLIC ENTERTAINMENT.

(2) A PERSON WHO OPERATES A BUSINESS ESTABLISHMENT FOR PROFIT THAT IS NOT LICENSED UNDER THIS ARTICLE MAY NOT KNOWINGLY ALLOW CUSTOMERS TO BRING ALCOHOLIC BEVERAGES FOR CONSUMPTION INTO THE ESTABLISHMENT.

(D) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 2 YEARS OR A FINE NOT EXCEEDING \$10,000 OR BOTH.

20-111.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "PLACE OF PUBLIC ENTERTAINMENT" MEANS A BUSINESS ESTABLISHMENT THAT DOES NOT HOLD A LICENSE UNDER THIS ARTICLE AND THAT ALLOWS ON ITS PREMISES ANY FORM OF ATTIRE OR SEXUAL DISPLAY LISTED UNDER § 10-405(C) THROUGH (F) OF THIS ARTICLE.

(3) "SETUPS" INCLUDES DRINKING CONTAINERS AND ICE.

(B) THIS SECTION APPLIES ONLY IN TALBOT COUNTY.

(C) (1) A PERSON MAY NOT SERVE OR DISPENSE SETUPS OR SERVE, DISPENSE, KEEP, OR ALLOW TO BE CONSUMED ANY ALCOHOLIC BEVERAGES OR OTHER COMPONENT PARTS OF MIXED ALCOHOLIC DRINKS IN A PLACE OF PUBLIC ENTERTAINMENT.

(2) A PERSON WHO OPERATES A BUSINESS ESTABLISHMENT FOR PROFIT THAT IS NOT LICENSED UNDER THIS ARTICLE MAY NOT KNOWINGLY ALLOW CUSTOMERS TO BRING ALCOHOLIC BEVERAGES FOR CONSUMPTION INTO THE ESTABLISHMENT.

(D) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 2 YEARS OR A FINE NOT EXCEEDING \$10,000 OR BOTH.”;

in line 2, strike “20-110.” and substitute “20-112.”; and after line 21, insert:

“20-113.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “PLACE OF PUBLIC ENTERTAINMENT” MEANS A BUSINESS ESTABLISHMENT THAT DOES NOT HOLD A LICENSE UNDER THIS ARTICLE AND THAT ALLOWS ON ITS PREMISES ANY FORM OF ATTIRE OR SEXUAL DISPLAY LISTED UNDER § 10-405(C) THROUGH (F) OF THIS ARTICLE.

(3) “SETUPS” INCLUDES DRINKING CONTAINERS AND ICE.

(B) THIS SECTION APPLIES ONLY IN WORCESTER COUNTY.



(C) (1) A PERSON MAY NOT SERVE OR DISPENSE SETUPS OR SERVE, DISPENSE, KEEP, OR ALLOW TO BE CONSUMED ANY ALCOHOLIC BEVERAGES OR OTHER COMPONENT PARTS OF MIXED ALCOHOLIC DRINKS IN A PLACE OF PUBLIC ENTERTAINMENT.

(2) A PERSON WHO OPERATES A BUSINESS ESTABLISHMENT FOR PROFIT THAT IS NOT LICENSED UNDER THIS ARTICLE MAY NOT KNOWINGLY ALLOW CUSTOMERS TO BRING ALCOHOLIC BEVERAGES FOR CONSUMPTION INTO THE ESTABLISHMENT.

(D) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 2 YEARS OR A FINE NOT EXCEEDING \$10,000 OR BOTH.”.