

HOUSE BILL 969

A2

(9lr0853)

ENROLLED BILL

—Economic Matters / Education, Health, and Environmental Affairs—

Introduced by **Prince George’s County Delegation**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o’clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Prince George’s County – Alcoholic Beverages – Bottle Clubs**

3 **PG 316–09**

4 FOR the purpose of prohibiting certain bottle clubs in Prince George’s County from
5 evading certain laws relating to hours of operation and to the selling, giving,
6 serving, dispensing, keeping, or allowing to be consumed alcoholic beverages
7 and certain other beverages; repealing a provision rendered unnecessary by this
8 Act; defining a certain term; and generally relating to bottle clubs in Prince
9 George’s County.

10 BY repealing and reenacting, with amendments,

11 Article 2B – Alcoholic Beverages

12 Section 20–108.1

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber / conference committee amendments.



1 Annotated Code of Maryland
2 (2005 Replacement Volume and 2008 Supplement)

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

5 **Article 2B – Alcoholic Beverages**

6 20–108.1.

7 (a) (1) In this section the following words have the meanings indicated.

8 (2) (I) **“BOTTLE CLUB” MEANS A PREMISES OR**
9 **ESTABLISHMENT THAT:**

10 **1. IS SUBJECT TO ANY LICENSE ISSUED BY THE**
11 **STATE OR PRINCE GEORGE’S COUNTY; AND**

12 **2. A. SERVES, GIVES, DISPENSES, KEEPS, OR**
13 **ALLOWS TO BE CONSUMED BY A PATRON ALCOHOLIC BEVERAGES FROM**
14 **SUPPLIES THAT THE PATRON PURCHASED, RESERVED, OR OTHERWISE**
15 **BROUGHT TO THE PREMISES OR ESTABLISHMENT; OR**

16 **B. SERVES, GIVES, DISPENSES, OR ALLOWS TO BE**
17 **CONSUMED BY A PATRON PAYING ADMISSION ALCOHOLIC BEVERAGES FROM**
18 **SUPPLIES PURCHASED OR OTHERWISE BROUGHT TO THE PREMISES OR**
19 **ESTABLISHMENT BY AN OWNER OR OPERATOR OR AN AGENT OF AN OWNER OR**
20 **OPERATOR.**

21 (II) **“BOTTLE CLUB” INCLUDES A RESTAURANT, HOTEL,**
22 **CLUB, ROOM, DANCE STUDIO, DISCO, PLACE OF PUBLIC ENTERTAINMENT, OR**
23 **OTHER PLACE OPEN TO THE PUBLIC.**

24 (III) **“BOTTLE CLUB” DOES NOT INCLUDE ANY**
25 **ESTABLISHMENT FOR WHICH A LICENSE FOR THE PREMISES HAS BEEN ISSUED**
26 **UNDER THE PROVISIONS OF THIS ARTICLE.**

27 [(2)] (3) **“Place of public entertainment” means a business**
28 **establishment that does not hold a license under this article and that allows on its**
29 **premises any form of attire or sexual display listed under § 10–405(c) through (f) of**
30 **this article.**

31 [(3)] (4) **“Setups” includes drinking containers and ice.**

32 (b) This section applies only in Prince George’s County.

1 (c) (1) A person may not serve or dispense setups or serve, dispense, keep,
2 or allow to be consumed any alcoholic beverages or other component parts of mixed
3 alcoholic drinks in a place of public entertainment.

4 (2) [A person who operates a business establishment for profit that is
5 not licensed under this article may not knowingly allow customers to bring alcoholic
6 beverages for consumption into the establishment] **AN OWNER OR OPERATOR OF A
7 BOTTLE CLUB MAY NOT:**

8 (I) **EVADE THE ALCOHOLIC BEVERAGE LICENSE LAWS IN
9 THE COUNTY, INCLUDING LAWS GOVERNING THE HOURS OF OPERATION; AND**

10 (II) **SELL, GIVE, SERVE, DISPENSE, KEEP, OR ALLOW TO BE
11 CONSUMED IN THE BOTTLE CLUB ANY ALCOHOLIC BEVERAGE, SETUPS, OR
12 OTHER COMPONENT PARTS OF MIXED ALCOHOLIC DRINKS.**

13 (d) A person who violates this section is guilty of a misdemeanor and on
14 conviction is subject to imprisonment not exceeding 2 years or a fine not exceeding
15 \$10,000 or both.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2009.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.