

HOUSE BILL 969

A2

9lr0853

By: **Prince George's County Delegation**

Introduced and read first time: February 13, 2009

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 11, 2009

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
13 Annotated Code of Maryland
14 (2005 Replacement Volume and 2008 Supplement)

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

17 **Article 2B - Alcoholic Beverages**

18 20-108.1.

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

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.



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

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

5 2. **SERVES, GIVES, DISPENSES, KEEPS, OR ALLOWS**
6 **TO BE CONSUMED BY A PATRON ALCOHOLIC BEVERAGES FROM SUPPLIES THAT**
7 **THE PATRON PURCHASED, RESERVED, OR OTHERWISE BROUGHT TO THE**
8 **PREMISES OR ESTABLISHMENT.**

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

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

15 [(2)] (3) **“Place of public entertainment” means a business**
16 **establishment that does not hold a license under this article and that allows on its**
17 **premises any form of attire or sexual display listed under § 10–405(c) through (f) of**
18 **this article.**

19 [(3)] (4) **“Setups” includes drinking containers and ice.**

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

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

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

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

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

1 (d) A person who violates this section is guilty of a misdemeanor and on
2 conviction is subject to imprisonment not exceeding 2 years or a fine not exceeding
3 \$10,000 or both.

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.