

CHAPTER 701

(House Bill 969)

AN ACT concerning

Prince George's County – Alcoholic Beverages – Bottle Clubs

PG 316–09

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

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 20–108.1
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

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

Article 2B – Alcoholic Beverages

20–108.1.

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

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

1. IS SUBJECT TO ANY LICENSE ISSUED BY THE STATE OR PRINCE GEORGE'S COUNTY; AND

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

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

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

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

[(2)] (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.

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

(b) This section applies only in Prince George’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] **AN OWNER OR OPERATOR OF A BOTTLE CLUB MAY NOT:**

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

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

(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.

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

Approved by the Governor, May 19, 2009.