

Department of Legislative Services
Maryland General Assembly
2010 Session

FISCAL AND POLICY NOTE

Senate Bill 716 (Senator Jones)
Education, Health, and Environmental Affairs

Baltimore City - Alcoholic Beverages - Bottle Club Registrations

This bill prohibits the Baltimore City Board of License Commissioners from approving an application for a bottle club if (1) the board has refused a previous request by the applicant to register any establishment or issue or renew any class of license; (2) the board has refused to issue any class of license for the premises of the establishment; or (3) the establishment is within 300 feet of a church or school. The bill specifies that a person whose registered establishment is located within 300 feet of a church or school may renew or extend the registration for the same establishment. The bill specifies that the registration of a bottle club is nontransferrable.

The bill takes effect July 1, 2010.

Fiscal Summary

State Effect: None. The criminal penalty provisions of this bill are not expected to significantly affect State finances or operations.

Local Effect: None. The Baltimore City Board of License Commissioners can handle any related enforcement with existing resources. The criminal penalty provisions of this bill are not expected to significantly affect Baltimore City finances or operations.

Small Business Effect: Minimal.

Analysis

Current Law: In Baltimore City, a bottle club may not give, serve, dispense, keep, or allow to be consumed on its premises, or on premises under its control or possession, any

alcoholic beverages, setups, or other component parts of mixed alcoholic drinks after legal closing hours for establishments.

Any person who owns or operates a bottle club must register the establishment with the Baltimore City Board of License Commissioners and pay the application fee established by the board. The registration must include the name of the establishment, the address where the establishment is doing business, and evidence of all inspections required of the establishment and business licenses issued to the person by the State or Baltimore City.

Before the board may approve an application and accept the registration, the applicant must provide copies of all inspections by the appropriate agencies, a trader's license, a sales and use tax license, and a use and occupancy permit.

Violations of the provisions of law pertaining to bottle clubs are misdemeanors and are subject to a fine of up to \$10,000 and/or imprisonment of up to two years.

Background: A "bottle club" is any establishment that serves, gives, or allows alcoholic beverages to be consumed by patrons from supplies that the patrons previously purchased or reserved. A bottle club does not include any establishment if a license for the premises had been issued.

Additional Information

Prior Introductions: None.

Cross File: HB 432 (Delegate Robinson, *et al.*) - Economic Matters.

Information Source(s): Baltimore City, Department of Legislative Services

Fiscal Note History: First Reader - February 17, 2010
ncs/hlb

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