

1 SENATE BILL NO. 90

2 INTRODUCED BY E. BOLDMAN

3 BY REQUEST OF THE DEPARTMENT OF REVENUE

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5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING ALCOHOLIC BEVERAGE LAWS RELATED TO
6 BOTTLE CLUBS; ~~ALLOWING MARKETPLACES TO GIVE AWAY SMALL QUANTITIES OF BEER OR WINE~~
7 ~~TO BONA FIDE CUSTOMERS; REVISING THE DEFINITION OF "PRIVATE GATHERING";~~ REVISING THE
8 DEPARTMENT OF REVENUE'S AUTHORITY OVER INDIVIDUALS OR ENTITIES OPERATING BOTTLE
9 CLUBS; PROVIDING ENFORCEMENT PROVISIONS; AND AMENDING SECTION 16-6-306, MCA."

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11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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13 **Section 1.** Section 16-6-306, MCA, is amended to read:

14 **"16-6-306. Bottle clubs prohibited ~~---exceptions.~~** (1) The operation of alcoholic beverage bottle
15 clubs is prohibited by any individual or entity. A bottle club is defined as any individual or entity maintaining,
16 operating, or leasing premises not licensed for the sale of alcoholic beverages in which alcoholic beverages are
17 kept for consumption by members of the public or for the purpose of providing a place for consuming alcoholic
18 beverages by members of the public for a fee or other consideration. For the purposes of this subsection,
19 "consideration" includes but is not limited to a cover charge, the sale of food, ice, mixers, or any other fluids for
20 alcoholic beverages, the furnishing of glassware or other containers for use in the consumption of alcoholic
21 beverages, or the expectation of a purchase of a good or service.

22 (2) Nothing in this section prevents the service or consumption of alcoholic beverages at private
23 gatherings. For the purposes of this subsection, "private gathering" means an event hosted by an individual that
24 is not open to the general public and in which no fee or consideration is charged ~~to attend the event, such as a~~
25 ~~wedding, reception, graduation party, or picnic.~~ The term does not include an event catered by a licensed
26 retailer. ~~For the purposes of this subsection, the term "not open to the general public" means open only to~~
27 ~~invited guests of the private gathering.~~

