

HOUSE BILL 511

IN THE HOUSE

February 1, 1979	Introduced and referred to Committee on Business and Industry.
February 9, 1979	Committee recommend bill, as amended.
February 10, 1979	Printed and placed on members' desks.
February 12, 1979	Committee recommend bill, as amended, do not pass.

1
2 INTRODUCED BY House BILL NO. 511
Shenckel-Guth

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE THE
5 LICENSING OF RESTAURANTS TO ALLOW THEIR CUSTOMERS TO CONSUME
6 BEER AND WINE PURCHASED ELSEWHERE; AMENDING SECTION
7 16-6-306, MCA."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 NEW SECTION. Section 1. Beer and wine bottle club
11 license. (1) A person who operates a restaurant or
12 prepared-food business may apply to the department of
13 revenue for a license to operate a beer and wine bottle club
14 as a supplement to and on the premises of the restaurant or
15 prepared-food business.

16 (2) Upon being satisfied that the applicant operates a
17 restaurant or prepared-food business and that the operation
18 of a beer and wine bottle club on the premises would be
19 supplementary to that business, the department shall upon
20 receipt of the license fee provided in [section 2] issue a
21 license for a beer and wine bottle club. The license shall
22 be issued for a period of 1 year. The license is
23 nontransferable.

24 (3) A license issued under this section entitles its
25 holder to:

1 (a) allow the customers of the restaurant or
2 prepared-food business identified on the license to consume
3 on the premises beer or wine purchased elsewhere; and

4 (b) provide services in connection with the
5 consumption of beer or wine including the provision of
6 containers or other devices for consumption, opening, and
7 disposal services.

8 NEW SECTION. Section 2. license fee for beer and wine
9 bottle club license. Each applicant for a beer and wine
10 bottle club license must pay an annual license fee of \$200
11 as a condition of issuance or renewal of the license
12 provided for in [section 1].

13 Section 3. Section 16-6-306, MCA, is amended to read:
14 "16-6-306. Bottle clubs prohibited. The Unless
15 licensed under [section 1], the operation of beer or liquor
16 or alcoholic beverage bottle clubs is hereby prohibited by
17 any person, persons, partnership, firm, corporation, or
18 association. A bottle club is defined as any person,
19 persons, partnership, firm, corporation, or association
20 maintaining premises not licensed for the sale of beer or
21 liquor, for a fee or other consideration, including the sale
22 of food, mixes, ice, or any other fluids for alcoholic
23 liquors, or otherwise furnishing premises for such purposes
24 and from which they would derive revenue."

-End-

INTRODUCED BILL

Approved by Committee
on Business and Industry

1 HOUSE BILL NO. 511

2 INTRODUCED BY HUENNEKENS, GERKE, REGAN

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE THE
5 LICENSING OF RESTAURANTS TO ALLOW THEIR CUSTOMERS TO CONSUME
6 BEER AND WINE PURCHASED ELSEWHERE; AMENDING SECTION
7 16-6-306, MCA."
8

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

10 NEW SECTION. Section 1. Beer and wine bottle club
11 license. (1) A person who operates a restaurant or
12 prepared-food business may apply to the department of
13 revenue for a license to operate a beer and wine bottle club
14 as a supplement to and on the premises of the restaurant or
15 prepared-food business.

16 (2) Upon being satisfied that the applicant operates a
17 restaurant or prepared-food business and that the operation
18 of a beer and wine bottle club on the premises would be
19 supplementary to that business, the department shall upon
20 receipt of the license fee provided in [section 2] issue a
21 license for a beer and wine bottle club. The license shall
22 be issued for a period of 1 year. The license is
23 nontransferable.

24 (3) A license issued under this section entitles its
25 holder to:

1 (a) allow the customers of the restaurant or
2 prepared-food business identified on the license to consume
3 on the premises BETWEEN THE HOURS OF 4 P.M. THROUGH 2 A.M.
4 beer or wine purchased elsewhere; and

5 (b) provide services in connection with the
6 consumption of beer or wine including the provision of
7 containers or other devices for consumption, opening, and
8 disposal services.

9 NEW SECTION. Section 2. License fee for beer and wine
10 bottle club license. Each applicant for a beer and wine
11 bottle club license must pay an annual license fee of \$200
12 as a condition of issuance or renewal of the license
13 provided for in [section 1].

14 Section 3. Section 16-6-306, MCA, is amended to read:

15 "16-6-306. Bottle clubs prohibited. The Unless
16 licensed under [section 1], the operation of beer or liquor
17 or alcoholic beverage bottle clubs is hereby prohibited by
18 any person, persons, partnership, firm, corporation, or
19 association. A bottle club is defined as any person,
20 persons, partnership, firm, corporation, or association
21 maintaining premises not licensed for the sale of beer or
22 liquor, for a fee or other consideration, including the sale
23 of food, mixes, ice, or any other fluids for alcoholic
24 liquors, or otherwise furnishing premises for such purposes
25 and from which they would derive revenue."

-End-

-2-

HB 511

SECOND READING