

**CHAPTER 127**

**(Senate Bill 280)**

AN ACT concerning

**Alcoholic Beverages – Removal of a Partially Consumed Bottle of Wine from a Licensed Premises**

FOR the purpose of allowing a person who purchases at a licensed premises a meal and a bottle of wine, the contents of which are partially consumed with the meal, to remove the bottle and its contents from the licensed premises under certain circumstances; stating that a bottle of wine removed from a licensed premises in accordance with this Act is an open container for purposes of a certain provision of law concerning the possession of open containers of alcohol in a motor vehicle; and generally relating to the consumption of wine.

BY adding to

Article 2B – Alcoholic Beverages  
Section 12–107.1  
Annotated Code of Maryland  
(2005 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Criminal Law  
Section 10–123(i) and (j) and 10–125  
Annotated Code of Maryland  
(2002 Volume and 2005 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation  
Section 21–903(a)(3)  
Annotated Code of Maryland  
(2002 Replacement Volume and 2005 Supplement)

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

**Article 2B – Alcoholic Beverages**

12–107.1.

(A) ~~SUBJECT TO § 15-205(D) OF THIS ARTICLE AND~~ NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, A PERSON WHO PURCHASES AT A LICENSED PREMISES A MEAL AND A BOTTLE OF WINE, ~~AS EVIDENCED BY A RECEIPT INDICATING THAT THE BOTTLE OF WINE WAS PURCHASED WITH THE MEAL,~~ THE CONTENTS OF WHICH ARE PARTIALLY CONSUMED WITH THE MEAL, MAY REMOVE THE BOTTLE AND ITS CONTENTS FROM THE LICENSED PREMISES IF THE LICENSE