



SPONSOR: Rep. Gray & Sen. Hocker & Rep. Baumbach &
Rep. Osienski
Reps. Briggs King, Heffernan, Hudson, Q. Johnson, Miro,
Oутten, Ramone, B. Short, D. Short, Smyk, Spiegelman,
Yearick; Sens. Delcollo, Lavelle, Lawson, Pettyjohn

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 284

AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO THE REMOVAL OF PARTIALLY
CONSUMED ALCOHOLIC LIQUORS FROM A PREMISE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 512, Title 4 of the Delaware Code by making deletions as shown by strikethrough and
insertions as shown by underline as follows:

§ 512. Licenses for taprooms, hotels, restaurants, motorsports speedways, concert halls or clubs; food
concessionaires at horse racetracks or multi-purpose sports facilities; dinner theater performances; bowling alleys; movie
theaters; caterers; removal of partially consumed bottles from premises; beverages for personal consumption at racetracks;
air passenger carriers; names of licensed establishments.

(d) Any person who has purchased a bottle of alcoholic liquor other than beer from a premises licensed for the sale
and consumption on the premises where sold ~~hotel, restaurant, motorsports speedway, concert hall, club, dinner theater or~~
~~horse racetrack~~ licensed under this Title section, and who has partially consumed the contents of such bottle on the licensed
premises, may, if the bottle is capped, remove it from the licensed premises for the purpose of consumption off the licensed
premises. ~~Any person who has purchased a bottle of alcoholic liquor other than beer from a caterer and who has partially~~
~~consumed the contents of such bottle on the premises, approved by the Commissioner for the catering may remove it from~~
~~the approved premises for the purpose of consumption off the approved premises.~~

SYNOPSIS

This Bill would allow all on-premises licensees who sell a bottle of alcohol (other than beer) to place a cap on the
bottle and allow patrons to take it home with them for consumption later. Delaware was one of the first states to recognize
that it was important that patrons who purchase a bottle of wine have the opportunity to take the remainder of the bottle
home with them rather than face the choice of drinking more than they should and driving, or leaving part of the bottle they
had paid for at the premise.