

CHAPTER 109  
FORMERLY  
HOUSE BILL NO. 208  
AS AMENDED BY  
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS.

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

Section 1. Amend Chapter 1, Title 4 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 101 Definitions.

As used in this title, in addition to their usual meaning:

(28) "Motorsports speedway" shall mean a motorsports speedway (including any contiguous land when being used in connection with its events) that is owned, leased, under easement, and/or operated by any person and having a seating capacity of at least ~~75,000~~ 5,000 seats. A motorsports speedway may operate under its own license while using the premises of a license holder at a horse racetrack, but only to the extent that neither license holder uses the same portion of the premises at the same time and no commingling of inventory occurs. The converse of this shall also apply to a license holder at a horse racetrack using the premises of a motorsports speedway.

Section 2. Amend Chapter 5, Title 4 of the Delaware Code by making deletions as shown by strike through 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.

(h) Notwithstanding any provision of this title to the contrary, ~~license holders who operate~~ motorsports speedways may permit patrons to bring inside with them alcoholic beverages regulated under this title for their own personal consumption, provided that they have a lawful ticket for admission to the facility and are of the lawful age to consume alcoholic beverages. ~~The license holder~~ motorsports speedway may restrict the portions of the facility that patrons may act in accord with this section. ~~The license holder must maintain as current all necessary licenses required pursuant to § 554 of this title.~~ Notwithstanding any provision of this title to the contrary, a motorsports speedway is not required to maintain a license required pursuant to § 554 of this title in order to permit patrons to bring inside with them alcoholic beverages regulated under this title for their own personal consumption.

Approved July 15, 2015