

1 H.538

2 Introduced by Representatives Martin of Wolcott, Evans of Essex, Peltz of

3 Woodbury, Spengler of Colchester, Stuart of Brattleboro,

4 Townsend of Randolph and Woodward of Johnson

5 Referred to Committee on

6 Date:

7 Subject: Alcoholic beverages; definitions; clubs

8 Statement of purpose: This bill proposes to allow an officer, director, or
9 member of a club to volunteer to perform services at the club without receiving
10 payment for those services.

11 An act relating to service of alcoholic beverages in clubs

12 It is hereby enacted by the General Assembly of the State of Vermont:

13 Sec. 1. 7 V.S.A. § 2 is amended to read:

14 § 2. DEFINITIONS

15 The following words as used in this title, unless a contrary meaning is
16 required by the context, shall have the following meaning:

17 * * *

18 (7) "Club": an unincorporated association or a corporation authorized to
19 do business in this state, that has been in existence for at least two consecutive
20 years prior to the date of application for license under this title and owns, hires,

1 or leases a building or space in a building that is suitable and adequate for the
2 reasonable and comfortable use and accommodation of its members and their
3 guests and contains suitable and adequate kitchen and dining room space and
4 equipment implements and facilities. A club may be used or leased by a
5 nonmember as a location for a social event as if it were any other licensed
6 commercial establishment. Such club shall file with the liquor control board,
7 before May 1 of each year, a list of the names and residences of its members
8 and a list of its officers. Its affairs and management shall be conducted by a
9 board of directors, executive committee, or similar body chosen by the
10 members at its annual meeting, and no member or any officer, agent, or
11 employee of the club shall be paid, or directly or indirectly receive, in the form
12 of salary or other compensation, any profits from the disposition or sale of
13 alcoholic liquors to the members of the club or its guests introduced by
14 members beyond the amount of such salary as may be fixed and voted at
15 annual meetings by the members or by its directors or other governing body,
16 and as reported by the club to the liquor control board. An auxiliary member
17 of a club may invite one guest at any one time. An officer or director of a club
18 may perform the duties of a bartender without receiving any payment for that
19 service, provided the officer or director is in compliance with the requirements
20 of this title that relate to service of alcoholic beverages. An officer, member,
21 or director of a club may volunteer to perform services at the club other than

1 serving alcoholic beverages, including seating patrons and checking
2 identification without receiving payment for those services. An officer,
3 member, or director of a club who volunteers his or her services shall not be
4 considered to be an employee of the club. A bona fide unincorporated
5 association or corporation whose officers and members consist solely of
6 veterans of the armed forces of the United States, or a subordinate lodge or
7 local chapter of any national fraternal order, and which fulfills all requirements
8 of this subdivision, except that it has not been in existence for two years, shall
9 come within the terms of this definition six months after the completion of its
10 organization. A club located on and integrally associated with at least a
11 regulation nine-hole golf course need only be in existence for six months prior
12 to the date of application for license under this title.

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