

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

HOUSE BILL

No. 1774 Session of  
2013

---

INTRODUCED BY REESE, COHEN, DUNBAR, EVERETT, GINGRICH,  
M. K. KELLER, KILLION, LUCAS, MAHONEY, MAJOR, MARSHALL,  
MILLARD AND O'NEILL, OCTOBER 17, 2013

---

REFERRED TO COMMITTEE ON LIQUOR CONTROL, OCTOBER 17, 2013

---

AN ACT

1 Amending the act of April 12, 1951 (P.L.90, No.21), entitled, as  
2 reenacted, "An act relating to alcoholic liquors, alcohol and  
3 malt and brewed beverages; amending, revising, consolidating  
4 and changing the laws relating thereto; regulating and  
5 restricting the manufacture, purchase, sale, possession,  
6 consumption, importation, transportation, furnishing, holding  
7 in bond, holding in storage, traffic in and use of alcoholic  
8 liquors, alcohol and malt and brewed beverages and the  
9 persons engaged or employed therein; defining the powers and  
10 duties of the Pennsylvania Liquor Control Board; providing  
11 for the establishment and operation of State liquor stores,  
12 for the payment of certain license fees to the respective  
13 municipalities and townships, for the abatement of certain  
14 nuisances and, in certain cases, for search and seizure  
15 without warrant; prescribing penalties and forfeitures;  
16 providing for local option, and repealing existing laws," in  
17 distilleries, wineries, bonded warehouses, bailees for hire  
18 and transporters for hire, further providing for limited  
19 wineries.

20 The General Assembly of the Commonwealth of Pennsylvania  
21 hereby enacts as follows:

22 Section 1. Section 505.2(a)(1) and (6) and (b) of the act of  
23 April 12, 1951 (P.L.90, No.21), known as the Liquor Code,  
24 reenacted and amended June 29, 1987 (P.L.32, No.14) and amended  
25 December 8, 2004 (P.L.1810, No.239), is amended to read:

26 Section 505.2. Limited Wineries.--(a) In the interest of

1 promoting tourism and recreational development in Pennsylvania,  
2 holders of a limited winery license may:

3 (1) Produce alcoholic ciders, wines and wine coolers,  
4 subject to the exceptions provided under this section[, only  
5 from an agricultural commodity grown in Pennsylvania].

6 \* \* \*

7 (6) (i) Secure a permit from the board to allow the holder  
8 of a limited winery license to use [up to twenty-five per centum  
9 permitted] fruit, not wine, in the current year's production.  
10 Each permit is valid only for the calendar year in which it is  
11 issued.

12 (ii) The fee for a permit to import and use [permitted]  
13 fruit shall be in an amount to be determined by the board.

14 (iii) The purpose of this section is to increase the  
15 productivity of limited wineries [while at the same time  
16 protecting the integrity and unique characteristics of wine  
17 produced from fruit primarily grown in this Commonwealth.  
18 Prevailing climatic conditions have a significant impact on the  
19 character of the fruit. Accordingly, "permitted fruit" shall  
20 mean fruit grown or juice derived from fruit grown within three  
21 hundred fifty (350) miles of the winery].

22 (iv) The department is authorized to promulgate regulations  
23 requiring the filing of periodic reports by limited wineries to  
24 ensure compliance with the provisions of this section.

25 \* \* \*

26 (b) The total production of alcoholic ciders, wine and wine  
27 coolers by a limited winery may not exceed [two hundred thousand  
28 (200,000)] three hundred thousand (300,000) gallons per year.

29 \* \* \*

30 Section 2. This act shall take effect in 60 days.