

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 38 Session of 2015

INTRODUCED BY P. COSTA, V. BROWN, BROWNLEE, COHEN, D. COSTA, DeLUCA, DONATUCCI, ELLIS, JAMES, KILLION, KOTIK, MILLARD, O'BRIEN AND SABATINA, MAY 6, 2015

REFERRED TO COMMITTEE ON LIQUOR CONTROL, MAY 6, 2015

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  
 19 distilleries.

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

22 Section 1. Section 505.4(b)(2) and (5) of the act of April  
 23 12, 1951 (P.L.90, No.21), known as the Liquor Code, reenacted  
 24 and amended June 29, 1987 (P.L.32, No.14) and amended December  
 25 22, 2011 (P.L.530, No.113), are amended to read:

26 Section 505.4. Distilleries.--\* \* \*

1 (b) \* \* \*

2 (2) (i) The holder of a limited distillery license may,  
3 separately or in conjunction with other limited distillery  
4 licensees, sell bottled liquors produced by the distillery at no  
5 more than [two (2)] five (5) board-approved locations other than  
6 the licensed premises, with no bottling or production  
7 requirement at those additional board-approved locations and  
8 under such conditions and regulations as the board may enforce  
9 to the board, to individuals and to entities licensed by the  
10 board.

11 (ii) If two (2) or more limited distilleries apply to  
12 operate an additional board-approved location in conjunction  
13 with each other, the distilleries need only have one (1) board-  
14 approved manager for the location, need only pay one application  
15 fee and need not designate specific or distinct areas for each  
16 distillery's licensed area. A limited distillery must file an  
17 application for the additional board-approved location, and that  
18 location shall count as one (1) of the [two (2)] five (5)  
19 permitted for each limited distillery. A limited distillery is  
20 responsible for keeping only its own complete records. A limited  
21 distillery may be cited for a violation of the recordkeeping  
22 requirements of sections 512 and 513 pertaining to its own  
23 records only.

24 \* \* \*

25 (5) The holder of a limited distillery license may provide  
26 tasting samples of liquor that in total do not exceed one and  
27 one-half (1.5) fluid ounces per person on the licensed premises  
28 and at the [two (2)] five (5) board-approved locations. Samples  
29 may be sold or provided free of charge and may only be provided  
30 between the hours of nine o'clock antemeridian and eleven

1 o'clock postmeridian.

2 \* \* \*

3 Section 2. This act shall take effect immediately.