

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1967 Session of
2014

INTRODUCED BY R. MILLER, MILLARD, SCHREIBER, MUSTIO, KOTIK,
KILLION, MULLERY, COHEN, GROVE, GRELL, EVERETT AND GINGRICH,
JANUARY 22, 2014

REFERRED TO COMMITTEE ON LIQUOR CONTROL, JANUARY 22, 2014

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) of the act of April 12, 1951
23 (P.L.90, No.21), known as the Liquor Code, reenacted and amended
24 June 29, 1987 (P.L.32, No.14) is amended by adding clauses to
25 read:

26 Section 505.4. Distilleries.--* * *

1 (b) * * *

2 (8) At the discretion of the board, obtain a special permit
3 to participate in distilled liquor, alcoholic cider, wine and
4 food expositions off the licensed premises. A special permit
5 shall be issued upon proper application and payment of a fee of
6 thirty dollars (\$30) per day for each day of permitted use, not
7 to exceed thirty (30) consecutive days. The total number of days
8 for all the special permits may not exceed one hundred (100)
9 days in any calendar year. A special permit shall entitle the
10 holder to engage in the sale by the glass, by the bottle or in
11 case lots of distilled liquor produced by the permittee under
12 the authority of a limited distillery license. Holders of
13 special permits may provide tasting samples of distilled liquors
14 in individual portions not to exceed one fluid ounce. Samples at
15 distilled liquor, alcoholic cider, wine and food expositions may
16 be sold or offered free of charge. Except as provided herein,
17 limited distilleries utilizing special permits shall be governed
18 by all applicable provisions of this act as well as by all
19 applicable regulations or conditions adopted by the board.

20 For the purposes of this clause, "distilled liquor, alcoholic
21 cider, wine and food expositions" are defined as affairs held
22 indoors or outdoors with the intent of promoting Pennsylvania
23 products by educating those in attendance of the availability,
24 nature and quality of Pennsylvania-produced distilled liquors,
25 alcoholic ciders and wines in conjunction with suitable food
26 displays, demonstrations and sales. The term may also include
27 activities other than distilled liquor, alcoholic cider, wine
28 and food displays, including arts and crafts, musical
29 activities, cultural exhibits, agricultural exhibits and farmers
30 markets.

1 (9) At the discretion of the board, obtain a farmers market
2 permit. The permit shall entitle the holder to participate in
3 more than one farmers market at any given time and an unlimited
4 number throughout the year and sell distilled liquors produced
5 under the authority of the underlying limited distillery license
6 by the bottle or in case lots. Samples not to exceed one fluid
7 once per brand of distilled liquor may be offered free of
8 charge. A farmers market permit shall be issued upon proper
9 application and payment of an annual fee of two hundred fifty
10 dollars (\$250). A permit holder may participate in more than one
11 farmers market at any given time. Sales by permit holders shall
12 take place during the standard hours of operation of the farmers
13 market. Written notice of the date, times and location the
14 permit is to be used shall be provided by the permit holder to
15 the enforcement bureau at least two (2) weeks prior to the
16 event. Except as provided in this subsection, limited
17 distilleries utilizing farmers market permits shall be governed
18 by all applicable provisions of this act as well as by all
19 applicable regulations adopted by the board.

20 For the purposes of this clause, "farmers market" shall
21 include any building, structure or other place:

22 (i) owned, leased or otherwise in the possession of a
23 person, municipal corporation or public or private organization;

24 (ii) used or intended to be used by two or more farmers or
25 an association of farmers, who are certified by the Department
26 of Agriculture of the Commonwealth to participate in the
27 Farmers' Market Nutrition Program subject to 7 CFR Pt. 249
28 (relating to Senior Farmers' Market Nutrition Program (SFMNP)),
29 for the purpose of selling agricultural commodities produced in
30 this Commonwealth directly to consumers;

1 (iii) which is physically located within this Commonwealth;
2 and
3 (iv) which is not open for business more than twelve hours
4 each day.

5 * * *

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