

THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 2088

Session of  
1981

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INTRODUCED BY BOWSER, DOMBROWSKI, HONAMAN, BRANDT, MERRY, FEE,  
MADIGAN, BOYES, MACKOWSKI, SNYDER, WILSON, COSLETT, PETRARCA,  
CAPPABIANCA, COLE, GALLAGHER, COLAFELLA, McCALL, LUCYK, CLARK  
AND CORDISCO, NOVEMBER 24, 1981

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AS AMENDED ON SECOND CONSIDERATION, IN SENATE, NOVEMBER 10, 1982

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AN ACT

1 Amending the act of April 12, 1951 (P.L.90, No.21), entitled "An  
2 act relating to alcoholic liquors, alcohol and malt and  
3 brewed beverages; amending, revising, consolidating and  
4 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 law,"  
17 further providing FOR THE APPROVAL OF SECONDARY SERVICE AREAS <—  
18 AND for the sale of wine by holders of a limited winery  
19 license.

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

22 SECTION 1. THE ACT OF APRIL 12, 1951 (P.L.90, NO.21), KNOWN <—  
23 AS THE "LIQUOR CODE," IS AMENDED BY ADDING A SECTION TO READ:  
24 SECTION 406.1. SECONDARY SERVICE AREA.--UPON APPLICATION OF  
25 ANY RESTAURANT, HOTEL, CLUB OR MUNICIPAL GOLF COURSE LIQUOR

1 LICENSEE, THE BOARD MAY APPROVE A SECONDARY SERVICE AREA BY  
2 EXTENDING THE LICENSED PREMISES TO INCLUDE ONE ADDITIONAL  
3 PERMANENT STRUCTURE WITH DIMENSIONS OF AT LEAST ONE HUNDRED  
4 SEVENTY-FIVE SQUARE FEET, ENCLOSED ON THREE SIDES AND HAVING  
5 ADEQUATE SEATING. SUCH SECONDARY SERVICE AREA MUST BE LOCATED ON  
6 THE SAME DEEDED PROPERTY AS THE ORIGINAL LICENSED PREMISES AND  
7 MUST BE ON LAND WHICH IS IMMEDIATE, ABUTTING, ADJACENT OR  
8 CONTIGUOUS TO THE LICENSED PREMISES WITH NO INTERVENING PUBLIC  
9 THOROUGHFARE. THERE SHALL BE NO REQUIREMENT THAT THE SECONDARY  
10 SERVICE AREA BE PHYSICALLY CONNECTED TO THE ORIGINAL LICENSED  
11 PREMISES. FURTHER, THE LICENSEE SHALL BE PERMITTED TO DISPENSE  
12 FOOD, LIQUOR AND MALT OR BREWED BEVERAGES AT THE BOARD APPROVED  
13 SECONDARY SERVICE AREA, NOTWITHSTANDING THE REGULATIONS OF THE  
14 BOARD.

15 Section ± 2. Section 505.2, ~~act of April 12, 1951 (P.L.90,~~ <—  
16 ~~No.21), known as the "Liquor Code,"~~ OF THE ACT, amended March <—  
17 27, 1972 (P.L.153, No.57), is amended to read:

18 Section 505.2. Limited Wineries.--Holders of a limited  
19 winery license may:

20 (1) Produce wines only from fruits grown in Pennsylvania in  
21 an amount not to exceed one hundred thousand (100,000) gallons  
22 per year.

23 (2) Sell wine produced by the limited winery or purchased in  
24 bulk in bond from another Pennsylvania limited winery on the  
25 licensed premises, under such conditions and regulations as the  
26 board may enforce, to the Liquor Control Board, to individuals  
27 and to hotel, restaurant, club and public service liquor  
28 licensees, and to Pennsylvania winery licensees: Provided, That  
29 a limited winery shall not, in any calendar year, purchase wine  
30 produced by other limited wineries in an amount in excess of

1 fifty per centum of the wine produced by the purchasing limited  
2 winery in the preceding calendar year.

3 Section ~~2~~ 3. This act shall take effect in 60 days.

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