

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1860 Session of 2009

INTRODUCED BY O'NEILL, BRENNAN, EVERETT, GABLER, GINGRICH,
HARKINS, HELM, HENNESSEY, KOTIK, MENSCH, MOUL, MURT, RAPP,
SEIP, SIPTROTH, K. SMITH, SOLOBAY, STABACK AND YOUNGBLOOD,
JULY 15, 2009

REFERRED TO COMMITTEE ON LIQUOR CONTROL, JULY 15, 2009

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,"
17 further providing for limited wineries.

18 The General Assembly of the Commonwealth of Pennsylvania
19 hereby enacts as follows:

20 Section 1. Section 505.2(a)(4) of the act of April 12, 1951
21 (P.L.90, No.21), known as the Liquor Code, reenacted and amended
22 June 29, 1987 (P.L.32, No.14) and amended July 16, 2007
23 (P.L.107, No.34), is amended to read:

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

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

* * *

(4) At the discretion of the board, obtain a special permit to participate in alcoholic cider, wine and food expositions off the licensed premises. A special permit shall be issued upon proper application and payment of a fee of thirty dollars (\$30) per day for each day of permitted use, not to exceed [five (5)] thirty (30) consecutive days. The total number of days for all the special permits may not exceed [forty (40)] one hundred (100) days in any calendar year. A special permit shall entitle the holder to engage in the sale by the glass, by the bottle or in case lots of alcoholic cider or wine produced by the permittee under the authority of a limited winery license. Holders of special permits may provide tasting samples of wines in individual portions not to exceed one fluid ounce. Samples at alcoholic cider, wine and food expositions may be sold or offered free of charge. Except as provided herein, limited wineries utilizing special permits shall be governed by all applicable provisions of this act as well as by all applicable regulations or conditions adopted by the board.

For the purposes of this clause, "alcoholic cider, wine and food expositions" are defined as affairs held indoors or outdoors with the intent of promoting Pennsylvania products by educating those in attendance of the availability, nature and quality of Pennsylvania-produced alcoholic ciders and wines in conjunction with suitable food displays, demonstrations and sales. Alcoholic cider, wine and food expositions may also include activities other than alcoholic cider, wine and food displays, including arts and crafts, musical activities,

1 cultural exhibits, agricultural exhibits and farmers markets.

2 * * *

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