

AMENDMENTS TO HOUSE BILL NO. 2150

Sponsor: REPRESENTATIVE MIHALEK

Printer's No. 2951

1 Amend Bill, page 1, line 20, by striking out the period after
2 "distributors" and inserting
3 ; and, in distilleries, wineries, bonded warehouses, bailees for
4 hire and transporters for hire, further providing for limited
5 distilleries and distilleries.

6 Amend Bill, page 1, lines 23 and 24, by striking out all of
7 said lines and inserting

8 Section 1. Sections 492.1(a) and 505.4(b)(1) and (c)(1) of
9 the act of April 12, 1951 (P.L.90, No.21), known as the Liquor
10 Code, are amended to read:

11 Amend Bill, page 3, by inserting between lines 5 and 6

12 Section 505.4. Limited Distilleries and Distilleries.--* * *

13 (b) (1) [The] (i) Except as otherwise provided, the board
14 may issue a limited distillery license that will allow the
15 holder thereof to operate a distillery that shall not exceed
16 production of one hundred thousand (100,000) gallons of
17 distilled liquor per year. The holder of the license may
18 manufacture and sell bottled liquors produced on the licensed
19 premises to the board, to entities licensed by the board and to
20 the public between the hours of nine o'clock antemeridian and
21 twelve o'clock antemeridian Monday through Saturday and Sunday
22 between the hours of nine o'clock antemeridian through eleven
23 o'clock postmeridian so long as a specific code of distilled
24 liquor which is listed for sale as a stock item by the board in
25 State liquor stores may not be offered for sale at a licensed
26 limited distillery location at a price which is lower than that
27 charged by the board and under such conditions and regulations
28 as the board may enforce. The holder of a limited distillery
29 license may not sell a product or a substantially similar
30 product which is listed for sale as a stock item by the board in
31 State Liquor Stores to a licensee at a price which is lower than
32 that charged by the board and under such conditions and
33 regulations as the board may enforce. The holder of a limited
34 distillery license may also sell wine, alcoholic cider and
35 fermented fruit beverages produced by a licensed limited winery,

1 liquor produced by a licensed distillery or limited distillery
2 and malt or brewed beverages produced by a licensed brewery for
3 on-premises consumption. The combined sales of wine, malt or
4 brewed beverages and liquor produced by another licensed
5 distillery or limited distillery may not, on a yearly basis,
6 exceed fifty per centum of the on-premises sales of the limited
7 distillery's own sales of liquor for the preceding calendar
8 year: however, if a limited distillery did not operate for an
9 entire calendar year during the preceding year, then its
10 combined sales of wine, malt or brewed beverages and liquor
11 produced by another licensed distillery or limited distillery
12 may not, on a yearly basis, exceed fifty per centum of the on-
13 premises sales of the limited distillery's own liquor for that
14 year.

15 (ii) A limited distillery may operate extended hours on
16 December 31 of each calendar year until two o'clock antemeridian
17 January 1 of the following calendar year.

18 (iii) The board may issue an extended hours permit
19 permitting the holder of a limited distillery license to remain
20 open and sell alcohol until two o'clock antemeridian the
21 following calendar day. Following a fifty-dollar (\$50) fee, a
22 holder of a limited distillery license must submit a written
23 application for an extended hours permit under this subclause to
24 the board in a form prescribed by the board. The following shall
25 apply:

26 (A) Only one extended hours permit may be issued to a holder
27 of a limited distillery license per calendar year and may only
28 be used for one day in that calendar year at all of the holder
29 of a limited distillery license's locations.

30 (B) The holder of a limited distillery license shall provide
31 written notice to the local police department, or Pennsylvania
32 State Police if no local police department is available, at
33 least forty-eight hours prior to each use of the extended hours
34 permit. Written notice shall include notifying the police of the
35 date, time and place of the extended sale of alcoholic
36 beverages.

37 * * *

38 (c) (1) [The] (i) Except as otherwise provided, the holder
39 of a distillery license as issued under section 505 may sell
40 bottled liquors produced on the licensed premises to the board,
41 to entities licensed by the board and to the public between the
42 hours of nine o'clock antemeridian and twelve o'clock
43 antemeridian Monday through Saturday and Sunday between the
44 hours of nine o'clock antemeridian through eleven o'clock
45 postmeridian so long as a specific code of distilled liquor
46 which is listed for sale as a stock item by the board in State
47 liquor stores may not be offered for sale at a licensed
48 distillery location at a price which is lower than that charged
49 by the board and under such conditions and regulations as the
50 board may enforce. The holder of a distillery license may not
51 sell a product or a substantially similar product which is

1 listed for sale as a stock item by the board in State Liquor
2 Stores to a licensee at a price which is lower than that charged
3 by the board and under such conditions and regulations as the
4 board may enforce. The holder of a distillery license may also
5 sell its liquor, wine, alcoholic cider and fermented fruit
6 beverages produced by a licensed limited winery, liquor produced
7 by a licensed distillery or limited distillery and malt or
8 brewed beverages produced by a licensed brewery for on-premises
9 consumption. The combined sales of wine, malt or brewed
10 beverages and liquor produced by another licensed distillery or
11 limited distillery may not, on a yearly basis, exceed fifty per
12 centum of the on-premises sales of the distillery's own sales of
13 liquor for the preceding calendar year: however, if a distillery
14 did not operate for an entire calendar year during the preceding
15 year, then its combined sales of wine, malt or brewed beverages
16 and liquor produced by another licensed distillery or limited
17 distillery may not, on a yearly basis, exceed fifty per centum
18 of the on-premises sales of the distillery's own liquor for that
19 year.

20 (ii) A distillery may operate extended hours on December 31
21 of each calendar year until two o'clock antemeridian January 1
22 of the following calendar year.

23 (iii) The board may issue an extended hours permit
24 permitting the holder of a distillery license to remain open and
25 sell alcohol until two o'clock antemeridian the following
26 calendar day. Following a fifty-dollar (\$50) fee, a holder of a
27 distillery license must submit a written application for an
28 extended hours permit under this subclause to the board in a
29 form prescribed by the board. The following shall apply:

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31 of a distillery license per calendar year and may only be used
32 for one day in that calendar year at all of the holder of a
33 distillery license's locations.

34 (B) The holder of a distillery license shall provide written
35 notice to the local police department, or Pennsylvania State
36 Police if no local police department is available, at least
37 forty-eight hours prior to each use of the extended hours
38 permit. Written notice shall include notifying the police of the
39 date, time and place of the extended sale of alcoholic
40 beverages.

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