

AMENDMENTS TO HOUSE BILL NO. 1160

Sponsor: REPRESENTATIVE DEASY

Printer's No. 1210

1 Amend Bill, page 1, line 19, by striking out the period after
2 "restrictions" and inserting

3 , for retail dispensers' restrictions on purchases and sales,
4 for breweries and for unlawful acts relative to liquor, malt
5 and brewed beverages and licensees.

6 Amend Bill, page 1, lines 22 and 23, by striking out all of
7 said lines and inserting

8 Section 1. Sections 406(f)(3) and (13) and (h), 442(f)(2)
9 and (13), 446(b)(3) and (13) and 493(33) of the act of April 12,
10 1951 (P.L.90, No.21), known as the Liquor Code, are amended to
11 read:

12 Amend Bill, page 2, by inserting between lines 14 and 15

13 (13) no catered function may be held for more than [five]
14 six hours per day and must end by midnight unless the catered
15 function occurs on December 31 of any calendar year on which
16 date the catered function must end by two o'clock antemeridian;

17 * * *

18 (h) Notwithstanding any other provision of law or
19 regulation, a catering club licensee may cater a self-sponsored
20 event no more than [twelve] twenty-four occasions during its
21 licensed term with no more than [one event] two events in any
22 calendar month.

23 * * *

24 Section 442. Retail Dispensers' Restrictions on Purchases
25 and Sales.--* * *

26 (f) The holder of an eating place retail dispenser license
27 may obtain an off-premises catering permit under section 493(33)
28 to hold a catered function off of the licensed premises and on
29 otherwise unlicensed premises where the licensee may sell malt
30 or brewed beverages by the glass, open bottle or any other
31 container, together with food, for consumption on those premises
32 solely used for catering premises. Functions conducted under the
33 authority of the permit shall be subject to the following:

34 * * *

35 (2) each catered function shall last no longer than one day

1 and [not more than fifty-two] an unlimited number of catered
2 functions may be held each calendar year by each license holder
3 for use with a particular license;

4 * * *

5 (13) no catered function may be held for more than [five]
6 six hours per day and must end by midnight unless the catered
7 function occurs on December 31 of any calendar year on which the
8 date the catered function must end by two o'clock antemeridian;

9 * * *

10 Section 446. Breweries.--* * *

11 (b) The holder of a brew pub license may obtain an off-
12 premises catering permit subject to section 493(33) to hold a
13 catered function off the licensed premises and on otherwise
14 unlicensed premises where the licensee may sell wine produced by
15 a licensed limited winery and malt or brewed beverages produced
16 by the brewery by the glass, open bottle or other container
17 together with food, and in any mixture, for consumption on those
18 premises. Functions conducted under the authority of the permit
19 shall be subject to the following:

20 * * *

21 (3) each catered function shall last no longer than one day
22 and [not more than fifty-two] an unlimited number of catered
23 functions may be held each calendar year by each license holder
24 for use with a particular license;

25 * * *

26 (13) no catered function may be held for more than [five]
27 six hours per day and must end by midnight unless the catered
28 function occurs on December 31 of any calendar year on which
29 date the catered function must end by two o'clock antemeridian;

30 * * *

31 Section 493. Unlawful Acts Relative to Liquor, Malt and
32 Brewed Beverages and Licensees.--The term "licensee," when used
33 in this section, shall mean those persons licensed under the
34 provisions of Article IV, unless the context clearly indicates
35 otherwise.

36 It shall be unlawful--

37 * * *

38 (33) Off-premises Catering Permit; Fees. For any licensee,
39 his servants, agents or employees to sell alcohol at a location
40 other than its licensed premises, unless the sale is
41 specifically authorized under this act, or unless the licensee
42 receives a special permit from the board to do so. Only those
43 licensees holding a current and valid restaurant, hotel, brew
44 pub or eating place license shall be allowed to apply for such a
45 permit. Any licensee that wishes to obtain an off-premises
46 catering permit must notify the board and pay the permitting
47 fee. [by March of each calendar year regardless of whether the
48 licensee has scheduled catered events. Any licensee that fails
49 to notify the board and pay the permit fee by March 1 shall be
50 precluded from obtaining the permit for that calendar year.] If
51 a licensee notifies the board and pays the permitting fee [by

March 1] and does not then use the permit throughout the calendar year, the licensee shall not be entitled to a return of the permitting fee. [Any licensee not granted a license until after March 1 of the calendar year shall have sixty days from the date of the license transfer to notify the board of the licensee's intention to use an off-premises catering permit and pay the permitting fee. The board shall have the discretion to allow the issuance of the permit after the March 1 deadline if the applicant is a licensee in good standing with the board and complies with all other requirements for the off-premises catering permit.] A licensee shall apply for the permit at least sixty days prior to the first catered function. All servers at the off-premises catered function shall be certified under the board's responsible alcohol management program as required under section 471.1. The board may charge a fee of five hundred dollars (\$500) each calendar year, to each applicant for the initial permit associated with a particular license, but no further fee shall be charged for any subsequent permits issued to the applicant for the license during the same calendar year. The applicant shall submit written notice to the board thirty days prior to each catered event, unless this time frame has been waived by the board, and the board may approve or disapprove each event if the applicant fails to provide timely notice of the catered function, does not intend to conduct a function that meets the requirements of this act or has previously conducted a function that did not meet the requirements of this act. The fees shall be paid into the State Stores Fund. Any violation of this act or the board's regulations for governing activity occurring under the authority of this permit may be the basis for the issuance of a citation under section 471, the nonrenewal of the license under section 470 or the refusal by the board to issue subsequent permits or honor subsequent dates on the existing permit. This penalty shall be in addition to any other remedies available to the enforcement bureau or the board.

* * *

Amend Bill, page 2, line 15, by striking out "January 1, 2025." and inserting

as follows:

- (1) The amendment of section 406(h) of the act shall take effect in 60 days.
- (2) This section shall take effect immediately.
- (3) The remainder of this act shall take effect January 1, 2025.