

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1617 Session of
2019

INTRODUCED BY STAATS, CAUSER, ROTHMAN, YOUNGBLOOD, STEPHENS,
DOWLING, RADER, JAMES, PYLE, OTTEN, MALAGARI, EVERETT,
MACKENZIE, SAINATO, GAYDOS, JOZWIAK, FARRY, IRVIN, STRUZZI
AND WHEELAND, JUNE 11, 2019

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, OCTOBER 20, 2020

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 laws," IN <--
17 PRELIMINARY PROVISIONS, FURTHER PROVIDING FOR DEFINITIONS;
18 AND, in general provisions applying to both liquor and malt
19 and brewed beverages, further providing for INTERLOCKING <--
20 BUSINESS PROHIBITED, FOR BRAND REGISTRATION, FOR limiting <--
21 number of retail licenses to be issued in each county. AND <--
22 FOR UNLAWFUL ACTS RELATIVE TO LIQUOR, MALT AND BREWED
23 BEVERAGES AND LICENSEES.

24 The General Assembly of the Commonwealth of Pennsylvania
25 hereby enacts as follows:

26 ~~Section 1. Section 461(c) of the act of April 12, 1951~~ <--
27 ~~(P.L.90, No.21), known as the Liquor Code, is amended by adding~~

1 ~~a clause to read:~~

2 ~~SECTION 1. SECTION 411(E) OF THE ACT OF APRIL 12, 1951~~ <--
3 ~~(P.L.90, NO.21), KNOWN AS THE LIQUOR CODE, IS AMENDED AND THE~~
4 ~~SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:~~

5 SECTION 1. THE DEFINITIONS OF "ALCOHOLIC CIDER," "FERMENTED <--
6 FRUIT BEVERAGE," "MALT OR BREWED BEVERAGES" AND "MEAD" IN
7 SECTION 102 OF THE ACT OF APRIL 12, 1951 (P.L.90, NO.21), KNOWN
8 AS THE LIQUOR CODE, AMENDED OR ADDED JULY 2, 2019 (P.L.324,
9 NO.45), ARE AMENDED TO READ:

10 SECTION 102. DEFINITIONS.--THE FOLLOWING WORDS OR PHRASES,
11 UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE, SHALL HAVE THE
12 MEANINGS ASCRIBED TO THEM IN THIS SECTION:

13 * * *

14 "ALCOHOLIC CIDER" SHALL MEAN A BEVERAGE WHICH MAY CONTAIN
15 CARBONATION IN AN AMOUNT NOT TO EXCEED SIX AND FOUR TENTHS GRAMS
16 PER LITER, PRODUCED THROUGH ALCOHOLIC FERMENTATION, WHICH IS
17 PRIMARILY DERIVED FROM APPLES, APPLE JUICE CONCENTRATE AND WATER
18 OR PEARS, PEAR JUICE CONCENTRATE AND WATER, CONSISTING OF AT
19 LEAST ONE-HALF OF ONE PER CENTUM, BUT NOT GREATER THAN EIGHT AND
20 ONE-HALF PER CENTUM, ALCOHOL BY VOLUME AND SOLD OR OFFERED FOR
21 SALE AS ALCOHOLIC CIDER AND NOT AS A WINE[, A WINE PRODUCT] OR
22 AS A SUBSTITUTE FOR WINE, IN BOTTLES, CASES, KEGS, CANS OR OTHER
23 SUITABLE CONTAINERS OF THE TYPE USED FOR THE SALE OF MALT OR
24 BREWED BEVERAGES IN THIS COMMONWEALTH.

25 * * *

26 "FERMENTED FRUIT BEVERAGE" SHALL MEAN A BEVERAGE WHICH MAY
27 CONTAIN CARBONATION IN AN AMOUNT NOT TO EXCEED SIX AND FOUR
28 TENTHS GRAMS PER LITER, PRODUCED THROUGH ALCOHOLIC FERMENTATION
29 OF FRUIT, FRUIT JUICE, FRUIT JUICE CONCENTRATE AND WATER WITH OR
30 WITHOUT FLAVORINGS, CONSISTING OF AT LEAST ONE-HALF OF ONE PER

1 CENTUM, BUT NOT GREATER THAN EIGHT AND ONE-HALF PER CENTUM,
2 ALCOHOL BY VOLUME AND SOLD OR OFFERED FOR SALE NOT AS A WINE[, A
3 WINE PRODUCT] OR A SUBSTITUTE FOR WINE, IN BOTTLES, CASES, KEGS,
4 CANS OR OTHER SUITABLE CONTAINERS OF THE TYPE USED FOR THE SALE
5 OF MALT OR BREWED BEVERAGES IN THIS COMMONWEALTH.

6 * * *

7 "MALT OR BREWED BEVERAGES" SHALL MEAN ANY BEER, LAGER BEER,
8 ALE, PORTER OR SIMILAR FERMENTED MALT BEVERAGE CONTAINING ONE-
9 HALF OF ONE PER CENTUM OR MORE OF ALCOHOL BY VOLUME, BY WHATEVER
10 NAME SUCH BEVERAGE MAY BE CALLED, AND SHALL MEAN ALCOHOLIC
11 CIDER, FERMENTED FRUIT BEVERAGE AND MEAD.

12 * * *

13 "MEAD" SHALL MEAN AN ALCOHOLIC BEVERAGE PRODUCED BY
14 FERMENTING A SOLUTION OF AT LEAST FIFTY-ONE PER CENTUM HONEY,
15 WATER AND OTHER AGRICULTURAL PRODUCTS AND CONTAINING NOT MORE
16 THAN EIGHT AND ONE-HALF PER CENTUM ALCOHOL BY VOLUME AND SOLD OR
17 OFFERED FOR SALE AS MEAD AND NOT AS A WINE[, A WINE PRODUCT] OR
18 AS A SUBSTITUTE FOR WINE, IN BOTTLES, CASES, KEGS, CANS OR OTHER
19 SUITABLE CONTAINERS OF THE TYPE USED FOR THE SALE OF MALT OR
20 BREWED BEVERAGES IN THIS COMMONWEALTH.

21 * * *

22 SECTION 1.1. SECTION 411(E) OF THE ACT IS AMENDED AND THE
23 SECTION IS AMENDED BY ADDING SUBSECTION TO READ:

24 SECTION 411. INTERLOCKING BUSINESS PROHIBITED.--* * *

25 (E) EXCEPT AS HEREIN PROVIDED, NO HOTEL, RESTAURANT, RETAIL
26 DISPENSER OR CLUB LICENSEE, AND NO OFFICER, DIRECTOR OR
27 STOCKHOLDER, AGENT OR EMPLOYE OF ANY SUCH LICENSEE SHALL IN ANY
28 WISE BE INTERESTED, DIRECTLY OR INDIRECTLY, IN THE OWNERSHIP OR
29 LEASEHOLD OF ANY PROPERTY OR THE EQUIPMENT OF ANY PROPERTY OR
30 ANY MORTGAGE LIEN AGAINST THE SAME, USED BY A DISTRIBUTOR,

1 IMPORTING DISTRIBUTOR, OR BY AN IMPORTER OR SACRAMENTAL WINE
2 LICENSEE, IN THE CONDUCT OF HIS BUSINESS; NOR SHALL ANY HOTEL,
3 RESTAURANT, RETAIL DISPENSER OR CLUB LICENSEE, OR ANY OFFICER,
4 DIRECTOR, STOCKHOLDER, AGENT OR EMPLOYE OF ANY SUCH LICENSEE,
5 EITHER DIRECTLY OR INDIRECTLY, LEND ANY MONEYS, CREDIT, OR GIVE
6 ANYTHING OF VALUE OR THE EQUIVALENT THEREOF, TO ANY DISTRIBUTOR,
7 IMPORTING DISTRIBUTOR, IMPORTER OR SACRAMENTAL WINE LICENSEE,
8 FOR EQUIPPING, FITTING OUT, OR MAINTAINING AND CONDUCTING,
9 EITHER IN WHOLE OR IN PART, AN ESTABLISHMENT USED IN THE CONDUCT
10 OF HIS BUSINESS.

11 THE PURPOSE OF THIS SECTION IS TO REQUIRE A SEPARATION OF THE
12 FINANCIAL AND BUSINESS INTERESTS BETWEEN MANUFACTURERS AND
13 HOLDERS OF HOTEL OR RESTAURANT LIQUOR LICENSES AND, AS HEREIN
14 PROVIDED, OF CLUB LICENSES, ISSUED UNDER THIS ARTICLE, AND NO
15 PERSON SHALL, BY ANY DEVICE WHATSOEVER, DIRECTLY OR INDIRECTLY,
16 EVADE THE PROVISIONS OF THE SECTION. BUT IN VIEW OF EXISTING
17 ECONOMIC CONDITIONS, NOTHING CONTAINED IN THIS SECTION SHALL BE
18 CONSTRUED TO PROHIBIT THE OWNERSHIP OF PROPERTY OR CONFLICTING
19 INTEREST BY A MANUFACTURER OF ANY PLACE OCCUPIED BY A LICENSEE
20 UNDER THIS ARTICLE AFTER THE MANUFACTURER HAS CONTINUOUSLY OWNED
21 AND HAD A CONFLICTING INTEREST IN SUCH PLACE FOR A PERIOD OF AT
22 LEAST FIVE YEARS PRIOR TO JULY EIGHTEENTH, ONE THOUSAND NINE
23 HUNDRED THIRTY-FIVE: PROVIDED, HOWEVER, THAT THIS CLAUSE SHALL
24 NOT PROHIBIT ANY HOTEL, RESTAURANT OR CLUB LIQUOR LICENSEE, OR
25 ANY OFFICER, DIRECTOR OR STOCKHOLDER OF ANY SUCH LICENSEE, FROM
26 OWNING LAND OR BUILDINGS WHICH ARE LEASED TO A HOLDER OF A
27 RETAIL DISPENSER'S LICENSE OR A MANUFACTURER'S LICENSE: AND,
28 PROVIDED FURTHER, THAT NOTHING CONTAINED IN THIS SECTION SHALL
29 BE CONSTRUED TO PROHIBIT ANY HOTEL, RESTAURANT, RETAIL DISPENSER
30 OR CLUB LICENSEE OR ANY OFFICER, DIRECTOR OR STOCKHOLDER, AGENT

1 OR EMPLOYE OF ANY SUCH LICENSEE FROM HAVING A FINANCIAL OR OTHER
2 INTEREST, DIRECTLY OR INDIRECTLY IN THE OWNERSHIP OR LEASEHOLD
3 OF ANY PROPERTY OR THE EQUIPMENT OF ANY PROPERTY OR ANY MORTGAGE
4 LIEN AGAINST SAME, USED, LEASED BY AN IMPORTER OR SACRAMENTAL
5 WINE LICENSEE FOR THE EXCLUSIVE PURPOSE OF MAINTAINING
6 COMMERCIAL OFFICES AND ON THE CONDITION THAT SAID PROPERTY IS
7 NOT USED FOR THE STORAGE OR SALE OF LIQUOR OR MALT OR BREWED
8 BEVERAGES IN ANY QUANTITY: AND, PROVIDED FURTHER, THAT NOTHING
9 CONTAINED IN THIS SECTION SHALL PROHIBIT AN OFFICER OR MEMBER OF
10 A LICENSED PRIVATELY OWNED PRIVATE GOLF COURSE CATERING CLUB
11 FROM HAVING AN INTEREST IN A LIMITED WINERY LICENSE: AND,
12 PROVIDED FURTHER, THAT NOTHING CONTAINED IN THIS SECTION SHALL
13 BE CONSTRUED TO PROHIBIT A MEMBER OF THE GOVERNING BOARD OF A
14 PUBLIC AUTHORITY CREATED UNDER SUBDIVISION (N) OF ARTICLE XXIII
15 OF THE ACT OF AUGUST 9, 1955 (P.L.323, NO.130), KNOWN AS "THE
16 COUNTY CODE," FROM HAVING AN INTEREST IN A DISTRIBUTOR OR
17 IMPORTING DISTRIBUTOR LICENSE NOTWITHSTANDING THE FACT THAT THE
18 PUBLIC AUTHORITY HAS AN INTEREST IN ONE OR MORE RETAIL LICENSES
19 OR ACTS AS A LANDLORD FOR ONE OR MORE RETAIL LICENSES: AND,
20 PROVIDED FURTHER, THAT, NOTHING IN THIS SECTION MAY PROHIBIT AN
21 EMPLOYE OF A HOTEL OR RESTAURANT LICENSEE FROM GUARANTEEING ANY
22 LOANS, OR LENDING ANY MONEYS, PROVIDING CREDIT OR GIVING
23 ANYTHING OF VALUE TO A LIMITED WINERY LICENSEE OR ITS OFFICERS,
24 DIRECTORS AND SHAREHOLDERS, PROVIDED THAT THE PERSON ALSO IS NOT
25 AN OFFICER OF OR DOES NOT HAVE ANY INTEREST IN OR EXERCISE ANY
26 CONTROL OVER ANY OTHER LICENSED ENTITY THAT ENGAGES IN ANY SALES
27 TO OR FROM THE LICENSEE: AND, PROVIDED FURTHER, THAT,
28 NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, AN ENTITY
29 MAY ACQUIRE BOTH A MANUFACTURER'S LICENSE OR A LIMITED WINERY
30 LICENSE AND A HOTEL, RESTAURANT OR RETAIL DISPENSER LICENSE FOR

1 USE AT THE SAME LOCATION AND MORE THAN ONE LOCATION MAY BE SO
2 LICENSED. AND, PROVIDED FURTHER, THAT, NOTWITHSTANDING ANY OTHER
3 PROVISION OF THIS SECTION, AN ENTITY LICENSED AS A LIMITED
4 WINERY MAY HOLD AND OPERATE A RESTAURANT LIQUOR LICENSE AT ONE
5 OF ITS ADDITIONAL, BOARD-APPROVED LOCATIONS INSTEAD OF AT ITS
6 PRIMARY LOCATION WHERE MANUFACTURING OCCURS. THE LICENSES AND A
7 PERSON'S INTEREST IN THE LICENSES OR IN THE ENTITY HOLDING THE
8 LICENSES SHALL NOT BE SUBJECT TO THIS SECTION. PROVIDED FURTHER,
9 THAT, A PERSON WHO IS A HOLDER OF TEN PER CENTUM (10%) OR LESS
10 OF SECURITIES OR OTHER INTERESTS IN A PUBLICLY OR PRIVATELY HELD
11 DOMESTIC OR FOREIGN CORPORATION, PARTNERSHIP, LIMITED LIABILITY
12 COMPANY OR OTHER FORM OF LEGAL ENTITY OWNING A RETAIL LICENSE
13 SHALL NOT BE DEEMED TO POSSESS A FINANCIAL INTEREST AND IS NOT
14 SUBJECT TO THE PROVISIONS OF THIS SECTION, PROVIDED THAT THE
15 PERSON IS NOT AN OFFICER OF, EMPLOYE OF OR DOES NOT HAVE ANY
16 INTEREST IN OR EXERCISE ANY CONTROL OVER ANY OTHER LICENSED
17 ENTITY THAT ENGAGES IN ANY SALES TO OR FROM THE RETAIL LICENSEE
18 IN WHICH THE PERSON HOLDS THE TEN PER CENTUM (10%) OR LESS
19 INTEREST. [AND, PROVIDED FURTHER, THAT NOTHING IN THIS SECTION
20 SHALL PROHIBIT A PERSON WHO HAS AN OWNERSHIP INTEREST IN A
21 LIMITED WINERY LICENSE FROM BEING EMPLOYED BY AN ENTITY THAT
22 HOLDS A HOTEL, RESTAURANT, EATING PLACE OR CLUB LICENSE IF THE
23 PERSON IS NOT EMPLOYED AS ALCOHOL SERVICE PERSONNEL OR AS
24 MANAGER.]

25 (E.1) NOTHING IN SUBSECTION (E) SHALL PROHIBIT ANY OF THE
26 FOLLOWING:

27 (1) A PERSON WHO HAS AN OWNERSHIP INTEREST IN A LIMITED
28 WINERY LICENSE FROM BEING EMPLOYED BY AN ENTITY THAT HOLDS A
29 HOTEL, RESTAURANT, EATING PLACE OR CLUB LICENSE IF THE PERSON IS
30 NOT EMPLOYED AS ALCOHOL SERVICE PERSONNEL OR AS MANAGER.

1 (2) A PERSON WHO HAS AN OWNERSHIP INTEREST IN A BREWERY
2 LICENSE FROM BEING EMPLOYED BY AN ENTITY THAT HOLDS A HOTEL,
3 RESTAURANT, EATING PLACE OR CLUB LICENSE IF THE PERSON HAS NO
4 JOB DUTIES OR RESPONSIBILITIES ON, OR CONNECTED WITH, THE
5 LICENSED PREMISES IN ANY CAPACITY.

6 * * *

7 SECTION 1.2. SECTION 445 OF THE ACT IS AMENDED BY ADDING A <--
8 SUBSECTION TO READ:

9 SECTION 445. BRAND REGISTRATION.--* * *

10 (D) THE LABEL, PRODUCT PACKAGING AND MARKETING MATERIALS FOR
11 ALCOHOLIC CIDER, FERMENTED FRUIT BEVERAGE AND MEAD THAT ARE USED
12 IN CONNECTION WITH THE SALE AND DISTRIBUTION OF ALCOHOLIC CIDER,
13 FERMENTED FRUIT BEVERAGE AND MEAD MAY REFER TO THE PRODUCT AS
14 "WINE-BASED," A "WINE PRODUCT" OR IN A SIMILAR MANNER OR BY A
15 SIMILAR NAME WITH THE PRODUCT STILL TREATED AS A MALT OR BREWED
16 BEVERAGE PROVIDED THAT THE PRODUCT IS REGISTERED WITH THE BOARD
17 AS A MALT OR BREWED BEVERAGE AS PROVIDED UNDER THIS SECTION. NO
18 PRODUCT THAT WAS SOLD IN ANY PENNSYLVANIA LIQUOR STORE AFTER
19 JANUARY 1, 2018, MAY BE DESIGNATED AS A MALT OR BREWED BEVERAGE.

20 SECTION 2. SECTION 461(C) OF THE ACT IS AMENDED BY ADDING A
21 CLAUSE TO READ:

22 Section 461. Limiting Number of Retail Licenses To Be Issued
23 In Each County.--* * *

24 (c) The word "hotel" as used in this section shall mean any
25 reputable place operated by a responsible person of good
26 reputation where the public may, for a consideration, obtain
27 sleeping accommodations, and which shall have the following
28 number of bedrooms and requirements in each case--at least one-
29 half of the required number of bedrooms shall be regularly
30 available to transient guests seven days weekly, except in

1 resort areas; at least one-third of such bedrooms shall be
2 equipped with hot and cold water, a lavatory, commode, bathtub
3 or shower and a clothes closet; and an additional one-third of
4 the total of such required rooms shall be equipped with lavatory
5 and commode:

6 * * *

7 (9.2) For two years after the effective date of this clause,
8 upon application to the board and payment of a fee of thirty
9 thousand dollars (\$30,000) by a hotel licensee, the board shall
10 convert a hotel license under clause (8) of this subsection for
11 a hotel licensee that applied for an exemption under clause (9)
12 or (9.1) of this subsection before January 1, 2019, to a
13 restaurant license without regard to the quota restrictions set
14 forth in subsection (a). This clause shall not apply to a hotel
15 license with a pending objection by the director of the Bureau
16 of Licensing or the board under section 470(a.1) until the
17 application for renewal of the hotel license is approved. This
18 clause shall not apply to hotel licenses in a city of the first
19 class. An application to transfer a restaurant license that was
20 converted from a hotel license under this clause in accordance
21 with section 404 within five years after the board received the
22 application for the restaurant license shall be subject to a fee
23 of twenty-five per centum (25%) or thirty thousand dollars
24 (\$30,000), whichever is greater, of the transactional cost for
25 the transfer of the restaurant license to be paid by the seller
26 of the license. As used in this paragraph, the term
27 "transactional cost" shall mean the cost of the restaurant
28 license.

29 * * *

30 SECTION 3. SECTION 493(11) OF THE ACT IS AMENDED TO READ:

<--

1 SECTION 493. UNLAWFUL ACTS RELATIVE TO LIQUOR, MALT AND
2 BREWED BEVERAGES AND LICENSEES.--THE TERM "LICENSEE," WHEN USED
3 IN THIS SECTION, SHALL MEAN THOSE PERSONS LICENSED UNDER THE
4 PROVISIONS OF ARTICLE IV, UNLESS THE CONTEXT CLEARLY INDICATES
5 OTHERWISE.

6 IT SHALL BE UNLAWFUL--

7 * * *

8 (11) LICENSEES EMPLOYED BY OTHERS. FOR ANY HOTEL, RESTAURANT
9 OR CLUB LIQUOR LICENSEE, OR ANY MALT OR BREWED BEVERAGE
10 LICENSEE, OR ANY OFFICER, SERVANT, AGENT OR EMPLOYE OF SUCH
11 LICENSEE, TO BE AT THE SAME TIME EMPLOYED, DIRECTLY OR
12 INDIRECTLY, BY ANY DISTRIBUTOR, IMPORTING DISTRIBUTOR,
13 MANUFACTURER, IMPORTER OR VENDOR LICENSEE OR ANY OUT OF STATE
14 MANUFACTURER. IT SHALL ALSO BE UNLAWFUL FOR ANY DISTRIBUTOR OR
15 IMPORTING DISTRIBUTOR, OR ANY OFFICER, SERVANT, AGENT OR EMPLOYE
16 OF SUCH LICENSEE, TO BE AT THE SAME TIME EMPLOYED, DIRECTLY OR
17 INDIRECTLY, BY ANY OTHER DISTRIBUTOR, IMPORTING DISTRIBUTOR,
18 MANUFACTURER, IMPORTER, VENDOR, OUT OF STATE MANUFACTURER, HOTEL
19 RESTAURANT, MALT OR BREWED BEVERAGE LICENSEE, OR CLUB LIQUOR
20 LICENSEE. IT SHALL ALSO BE UNLAWFUL FOR ANY MANUFACTURER,
21 IMPORTER, OR VENDOR LICENSEE, OR ANY OUT OF STATE MANUFACTURER,
22 OR ANY OFFICER, SERVANT, AGENT OR EMPLOYE OF SUCH LICENSEE OR
23 MANUFACTURER, TO BE AT THE SAME TIME EMPLOYED, DIRECTLY OR
24 INDIRECTLY, BY ANY HOTEL, RESTAURANT OR CLUB LIQUOR LICENSEE OR
25 ANY MALT OR BREWED BEVERAGE LICENSEE OR ANY DISTRIBUTOR OR
26 IMPORTING DISTRIBUTOR LICENSEE. NOTHING IN THIS SUBSECTION SHALL
27 BE CONSTRUED TO PROHIBIT A MANUFACTURER OR LIMITED WINERY
28 LICENSEE, OR ANY OFFICER, SERVANT, AGENT OR EMPLOYE OF SUCH
29 LICENSEE, TO BE EMPLOYED AT THE SAME TIME BY A HOTEL, RESTAURANT
30 OR RETAIL DISPENSER LICENSEE IF THE HOTEL, RESTAURANT OR RETAIL

1 DISPENSER LICENSEE IS LOCATED AT THE MANUFACTURER OR LIMITED
2 WINERY PREMISES PURSUANT TO SECTION 443. FOR THE PURPOSES OF
3 THIS SUBSECTION, AN OFFICER, SERVANT, AGENT OR EMPLOYEE OF A
4 LICENSEE OR MANUFACTURER IS AN INDIVIDUAL WHO HAS EITHER AN
5 OWNERSHIP INTEREST IN THE LICENSEE OR MANUFACTURER OR WHO
6 RECEIVES COMPENSATION FOR HIS OR HER WORK ON BEHALF OF THE
7 LICENSEE OR MANUFACTURER: PROVIDED FURTHER, THAT NOTHING IN THIS
8 SECTION SHALL PROHIBIT A PERSON WHO HAS AN OWNERSHIP INTEREST IN
9 A LIMITED WINERY LICENSE FROM BEING EMPLOYED BY AN ENTITY THAT
10 HOLDS A HOTEL, RESTAURANT, EATING PLACE OR CLUB LICENSE IF THE
11 PERSON IS NOT EMPLOYED AS ALCOHOL SERVICE PERSONNEL OR AS A
12 MANAGER[.]: AND, PROVIDED FURTHER, THAT NOTHING IN THIS SECTION
13 SHALL PROHIBIT A PERSON WHO HAS AN OWNERSHIP INTEREST IN A
14 BREWERY LICENSE FROM BEING EMPLOYED BY AN ENTITY THAT HOLDS A
15 HOTEL, RESTAURANT, EATING PLACE OR CLUB LICENSE IF THE PERSON
16 HAS NO JOB DUTIES OR RESPONSIBILITIES ON, OR CONNECTED WITH, THE
17 LICENSED PREMISES IN ANY CAPACITY.

18 * * *

19 Section 2 4. This act shall take effect in 60 days.

<--