

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. House Bill 2267

PRINTER'S NO. 3786

AMOUNT

No Fiscal Impact

FUND

State Stores Fund

DATE INTRODUCED

March 19, 2012

PRIME SPONSOR

Representative Gabler

HISTORY OF BILL

Referred to LIQUOR CONTROL, March 19, 2012

Reported as amended, May 9, 2012

First consideration, May 9, 2012

Laid on the table, May 9, 2012

Removed from table, June 18, 2012

Second consideration, with amendments, June 19, 2012

Re-committed to APPROPRIATIONS, June 19, 2012

(Remarks see House Journal Page), June 19, 2012

Re-reported as committed, June 20, 2012

Third consideration and final passage, June 20, 2012 (196-0)

In the Senate

Referred to LAW AND JUSTICE, June 21, 2012

Reported as committed, June 26, 2012

First consideration, June 26, 2012

Re-referred to APPROPRIATIONS, June 27, 2012

Re-reported as committed, June 28, 2012

DESCRIPTION AND PURPOSE OF BILL

House Bill 2267 makes the following changes to the Liquor Code:

Alcoholic Cider – Allows alcoholic cider to be produced from fermentation of any fruit or fruit juice. Currently, the definition only provides for apples or apple juice to be used in its production.

SENATE APPROPRIATIONS COMMITTEE

FISCAL NOTE

Off Premises Catering– Clarifies provisions added in Act 11 of 2011 related to catering functions. Provides the following: (1) catered functions are not to be open to the general public; (2) requires notice to be provided to the Liquor Control Board 30 days in advance of a catered function; (3) requires the Bureau of Liquor Control Enforcement receive notice seven days in advance; (4) prohibits patrons from leaving a catered function with alcohol; (5) allows notice requirements to be waived by the board for previous applicant in good standing, if the applicant provides notification 14 days before the event and pays a \$100 late fee; (6) requires the owner of private property where a function occurs to allow the Bureau of Liquor Control Enforcement to enter and search the premises without a warrant; (7) prohibits catered functions from being held more than five hours per day and beyond midnight; (8) prohibits sale of tickets unless sold on behalf of an entity eligible for a special occasion permit, a nonprofit or organization which is tax exempt; and, (9) prohibits catering functions from being held in a place subject to the applicant's or another licensee's license, where a license is in safekeeping, where a location is subject to an objection by the board's Director of the Bureau of Licensing, where the location is subject to a pending license suspension or one-year probation on the transfer of the license, or in the parking lot at a sporting or concert event.

Special Occasion Permits – Removes county and municipality classifications from the definition of eligible entity.

Sale of Wine Kegs – Increases the size of containers that the board may sell wine in Liquor Stores from six liters or less, to sixty liters or less.

Merged Municipalities License Renewals – Permits the board to renew licenses and approve license transfers of restaurant, eating place, hotel and distributor licenses when those licenses are located in a municipality that has merged with another municipality and the newly established municipality is dry.

Package Stores at Military Installations – Clarifies that a package store located on at United States military installation may sell alcohol.

Noise Restrictions – Allows the board to exempt municipalities from provisions in the Liquor Code providing for noise restrictions.

The provisions related to noise restrictions take effect immediately and the remainder of the act will take effect in 60 days.

FISCAL IMPACT:

The enactment of House Bill 2267 will have no adverse impact on Commonwealth funds. The changes to the definition of eligible entity will likely expand the number of organizations that may apply for a special occasion permit at a cost of \$30 per day. Additional fee revenue generated from special occasion permits will cover the board's cost of administration.