

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1164 Session of 1997

INTRODUCED BY THOMPSON, WAGNER, EARLL, STOUT, SALVATORE, WOZNIAK, HART AND MURPHY, OCTOBER 20, 1997

AS AMENDED ON THIRD CONSIDERATION, JANUARY 26, 1998

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 BREWERIES; AND authorizing the
18 production of beer or malt or brewed beverages in limited
19 quantities for personal or family use.

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20 The General Assembly of the Commonwealth of Pennsylvania
21 hereby enacts as follows:

22 Section 1. ~~Section~~ SECTIONS 446(2) AND 492(1) of the act of
23 April 12, 1951 (P.L.90, No.21), known as the Liquor Code,
24 reenacted and amended June 29, 1987 (P.L.32, No.14), ~~is~~ ARE
25 amended to read:

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26 SECTION 446. BREWERIES.--HOLDERS OF A BREWERY LICENSE MAY:

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2 (2) OPERATE A RESTAURANT OR BREWERY PUB ON THE LICENSED
3 PREMISES UNDER SUCH CONDITIONS AND REGULATIONS AS THE BOARD MAY
4 ENFORCE[.]: PROVIDED, HOWEVER, THAT SALES ON SUNDAY MAY BE MADE
5 IRRESPECTIVE OF THE VOLUME OF FOOD SALES IF THE LICENSED
6 PREMISES ARE AT A STADIUM OR ARENA LOCATION.

7 * * *

8 Section 492. Unlawful Acts Relative to Malt or Brewed
9 Beverages and Licensees.--

10 It shall be unlawful--

11 (1) Manufacturing Without License. [For] Except as provided
12 herein, for any person, to manufacture malt or brewed beverages,
13 unless such person holds a valid manufacturer's license for such
14 purpose issued by the board. Malt or brewed beverages may be
15 produced by any person without a license, if such malt or brewed
16 beverages are produced not for sale and total production does
17 not exceed two hundred gallons per calendar year. Malt or brewed
18 beverages produced in accordance with this paragraph may be used
19 at organized affairs, exhibitions, competitions, contests,
20 tastings or judging, provided it is not sold or offered for
21 sale.

22 * * *

23 Section 2. This act shall take effect immediately.