

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 81

Session of 2009

INTRODUCED BY EARLL, JANUARY 29, 2009

SENATOR RAFFERTY, LAW AND JUSTICE, AS AMENDED, MARCH 11, 2009

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 DEFINING FOR THE DEFINITION OF "ELIGIBLE ENTITY" AND ←  
18 ADDING DEFINITIONS; FURTHER PROVIDING FOR GENERAL POWERS OF  
19 THE BOARD, FOR WINE MARKETING AND FOR SUNDAY RETAIL SALES BY  
20 PENNSYLVANIA LIQUOR STORES; AND, in licenses and regulations  
21 relating to liquor, alcohol and malt and brewed beverages,  
22 further providing for interlocking businesses prohibited and, ←  
23 for number and kinds of licenses allowed same licensee AND ←  
24 FOR UNLAWFUL ACTS RELATIVE TO LIQUOR, MALT AND BREWED  
25 BEVERAGES AND LICENSES ISSUED.

26 The General Assembly of the Commonwealth of Pennsylvania  
27 hereby enacts as follows:

28 ~~Section 1. Sections 411(e) and 438 of the act of April 12,~~ ←  
29 ~~1951 (P.L.90, No.21), known as the Liquor Code, reenacted and~~  
30 ~~amended June 29, 1987 (P.L.32, No.14), are amended to read:~~



1 SECTION 1. THE DEFINITION OF "ELIGIBLE ENTITY" IN SECTION  
2 102 OF THE ACT OF APRIL 12, 1951 (P.L.90, NO.21), KNOWN AS THE  
3 LIQUOR CODE, REENACTED AND AMENDED JUNE 29, 1987 (P.L.32,  
4 NO.14), AND AMENDED NOVEMBER 29, 2006 (P.L.1421, NO.155), IS  
5 AMENDED AND THE SECTION IS AMENDED BY ADDING DEFINITIONS TO  
6 READ:

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

10 \* \* \*

11 "ELIGIBLE ENTITY" SHALL MEAN A CITY OF THE THIRD CLASS, A  
12 HOSPITAL, A CHURCH, A SYNAGOGUE, A VOLUNTEER FIRE COMPANY, A  
13 VOLUNTEER AMBULANCE COMPANY, A VOLUNTEER RESCUE SQUAD, A UNIT OF  
14 A NATIONALLY CHARTERED CLUB WHICH HAS BEEN ISSUED A CLUB LIQUOR  
15 LICENSE, A CLUB IN A CITY OF THE THIRD CLASS WHICH HAS BEEN  
16 ISSUED A CLUB LIQUOR LICENSE AND WHICH, AS OF DECEMBER 31, 2002,  
17 HAS BEEN IN EXISTENCE FOR AT LEAST 100 YEARS, A LIBRARY, A  
18 NATIONALLY ACCREDITED PENNSYLVANIA NONPROFIT ZOOLOGICAL  
19 INSTITUTION LICENSED BY THE UNITED STATES DEPARTMENT OF  
20 AGRICULTURE, A NONPROFIT AGRICULTURAL ASSOCIATION IN EXISTENCE  
21 FOR AT LEAST TEN YEARS, A BONA FIDE SPORTSMEN'S CLUB IN  
22 EXISTENCE FOR AT LEAST TEN YEARS, A NATIONALLY CHARTERED  
23 VETERANS' ORGANIZATION AND ANY AFFILIATED LODGE OR SUBDIVISION  
24 OF SUCH ORGANIZATION, A FRATERNAL BENEFIT SOCIETY THAT IS  
25 LICENSED TO DO BUSINESS IN THIS COMMONWEALTH AND ANY AFFILIATED  
26 LODGE OR SUBDIVISION OF SUCH FRATERNAL BENEFIT SOCIETY, A MUSEUM  
27 OPERATED BY A NONPROFIT CORPORATION IN A CITY OF THE THIRD CLASS  
28 OR TOWNSHIP OF THE FIRST CLASS, A NONPROFIT CORPORATION ENGAGED  
29 IN THE PERFORMING ARTS IN A CITY OF THE THIRD CLASS, BOROUGH OR  
30 IN AN INCORPORATED TOWN, AN ARTS COUNCIL, A NONPROFIT

1 CORPORATION THAT OPERATES AN ARTS FACILITY OR MUSEUM IN A CITY  
2 OF THE THIRD CLASS IN THE COUNTY OF THE FOURTH CLASS, A  
3 NONPROFIT ORGANIZATION AS DEFINED UNDER SECTION 501(C)(3) OF THE  
4 INTERNAL REVENUE CODE OF 1986 (PUBLIC LAW 99-514, 26 U.S.C. §  
5 501(C)(3)) WHOSE PURPOSE IS TO PROTECT THE ARCHITECTURAL  
6 HERITAGE OF BOROUGHS AND WHICH HAS BEEN RECOGNIZED AS SUCH BY A  
7 MUNICIPAL RESOLUTION, A NONPROFIT ORGANIZATION AS DEFINED UNDER  
8 SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE OF 1986 (PUBLIC  
9 LAW 99-514, 26 U.S.C. § 501(C)(3)) CONDUCTING A REGATTA IN A  
10 CITY OF THE SECOND CLASS WITH THE PERMIT TO BE USED ON STATE  
11 PARK GROUNDS OR CONDUCTING A FAMILY-ORIENTED CELEBRATION AS PART  
12 OF WELCOME AMERICA IN A CITY OF THE FIRST CLASS ON PROPERTY  
13 LEASED FROM THAT CITY FOR MORE THAN FIFTY YEARS, A NONPROFIT  
14 ORGANIZATION AS DEFINED UNDER SECTION 501(C)(3) OF THE INTERNAL  
15 REVENUE CODE OF 1986 (26 U.S.C. § 501(C)(3)) WHOSE PURPOSE IS TO  
16 RAISE FUNDS FOR THE RESEARCH AND TREATMENT OF CYSTIC FIBROSIS, A  
17 NONPROFIT ORGANIZATION AS DEFINED UNDER SECTION 501(C)(3) OF THE  
18 INTERNAL REVENUE CODE OF 1986 (26 U.S.C. § 501(C)(3)) WHOSE  
19 PURPOSE IS TO EDUCATE THE PUBLIC ON ISSUES DEALING WITH  
20 WATERSHED CONSERVATION, A NONPROFIT ORGANIZATION AS DEFINED  
21 UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE OF 1986  
22 (PUBLIC LAW 99-514, 26 U.S.C. § 501(C)(3)) WHOSE PURPOSE IS TO  
23 PROVIDE EQUINE ASSISTED ACTIVITIES FOR CHILDREN AND ADULTS WITH  
24 SPECIAL NEEDS, A NONPROFIT ECONOMIC DEVELOPMENT AGENCY IN A CITY  
25 OF THE SECOND CLASS WITH THE PRIMARY FUNCTION TO SERVE AS AN  
26 ECONOMIC GENERATOR FOR THE GREATER SOUTHWESTERN PENNSYLVANIA  
27 REGION BY ATTRACTING AND SUPPORTING FILM, TELEVISION AND RELATED  
28 MEDIA INDUSTRY PROJECTS AND COORDINATING GOVERNMENT AND BUSINESS  
29 OFFICES IN SUPPORT OF A PRODUCTION, A COUNTY TOURIST PROMOTION  
30 AGENCY AS DEFINED IN SECTION 3(1) OF THE ACT OF APRIL 28, 1961

1 (P.L.111, NO.50), KNOWN AS THE "TOURIST PROMOTION LAW," AND  
2 LOCATED IN A CITY OF THE THIRD CLASS IN A COUNTY OF THE FOURTH  
3 CLASS OR LOCATED IN A TOWNSHIP OF THE SECOND CLASS IN A COUNTY  
4 OF THE FIFTH CLASS, A JUNIOR LEAGUE IN A THIRD CLASS COUNTY THAT  
5 IS A NONPROFIT ORGANIZATION AS DEFINED UNDER SECTION 501(C)(3)  
6 OF THE INTERNAL REVENUE CODE OF 1986 (26 U.S.C. § 501(C)(3))  
7 THAT IS COMPRISED OF WOMEN WHOSE PURPOSE IS EXCLUSIVELY  
8 EDUCATIONAL AND CHARITABLE IN PROMOTING THE VOLUNTEERISM OF  
9 WOMEN AND DEVELOPING AND PARTICIPATING IN COMMUNITY PROJECTS AND  
10 THAT HAS BEEN IN EXISTENCE FOR OVER SEVENTY YEARS, A NONPROFIT  
11 ORGANIZATION AS DEFINED UNDER SECTION 501(C)(3) OF THE INTERNAL  
12 CODE OF 1986 WHICH IS LOCATED IN COUNTIES OF THE SECOND CLASS A  
13 AND OF THE THIRD CLASS AND WHOSE PURPOSE IS THE EDUCATION AND  
14 PROMOTION OF AMERICAN HISTORY OR A NONPROFIT ORGANIZATION AS  
15 DEFINED UNDER SECTION [501(C)(6)]501(C)(6) OF THE INTERNAL  
16 REVENUE CODE OF 1986 WHICH IS LOCATED IN A CITY OF THE THIRD  
17 CLASS IN A COUNTY OF THE THIRD CLASS AND WHOSE PURPOSE IS TO  
18 SUPPORT BUSINESS AND INDUSTRY.

19 \* \* \*

20 "SATELLITE WINE STORE" SHALL MEAN A WINE KIOSK OPERATED BY  
21 THE PENNSYLVANIA LIQUOR CONTROL BOARD, TOGETHER WITH THE SPACE  
22 IN WHICH IT IS LOCATED.

23 \* \* \*

24 "WINE KIOSK" SHALL MEAN AN AUTOMATED, SELF-SERVICE, BOTTLED  
25 WINE KIOSK OPERATED BY THE PENNSYLVANIA LIQUOR CONTROL BOARD.

26 \* \* \*

27 SECTION 2. SECTION 207 OF THE ACT IS AMENDED BY ADDING A  
28 SUBSECTION TO READ:

29 SECTION 207. GENERAL POWERS OF BOARD.--UNDER THIS ACT, THE  
30 BOARD SHALL HAVE THE POWER AND ITS DUTY SHALL BE:

1 \* \* \*

2 (L) TO ESTABLISH AND IMPLEMENT A CUSTOMER RELATIONS  
3 MARKETING PROGRAM FOR THE PURPOSE OF OFFERING INCENTIVES, SUCH  
4 AS COUPONS OR DISCOUNTS ON CERTAIN PRODUCTS, TO CUSTOMERS OF THE  
5 BOARD.

6 SECTION 3. SECTION 215 OF THE ACT, AMENDED DECEMBER 30, 2003  
7 (P.L.423, NO.59), IS AMENDED TO READ:

8 SECTION 215. WINE AND SPIRITS MARKETING.--

9 (E) THE BOARD IS AUTHORIZED TO PARTICIPATE IN OR SPONSOR  
10 WINE AND SPIRITS EVENTS FOR THE PURPOSE OF EDUCATING CONSUMERS  
11 AS TO THE WINES AND SPIRITS AVAILABLE IN THIS COMMONWEALTH. THE  
12 WINE AND SPIRITS TO BE USED FOR THE EVENT MAY BE ACQUIRED  
13 THROUGH THE STATE STORE SYSTEM OR MAY BE DONATED FROM OUTSIDE  
14 THIS COMMONWEALTH. PARTICIPATION IN THE TASTINGS MAY BE  
15 CONDITIONED ON THE PURCHASE OF A TICKET TO THE EVENT. THE EVENT  
16 MAY INCLUDE EVENTS OCCURRING ON PREMISES LICENSED BY THE BOARD,  
17 AND THE BOARD MAY SELL WINE AND SPIRITS FOR OFF-PREMISES  
18 CONSUMPTION IN AN AREA DESIGNATED BY THE BOARD FOR SUCH SALE.

19 SECTION 4. SECTION 304 OF THE ACT, AMENDED DECEMBER 8, 2004  
20 (P.L.1810, NO.239), IS AMENDED TO READ:

21 SECTION 304. WHEN SALES MAY BE MADE AT PENNSYLVANIA LIQUOR  
22 STORES.--(A) EXCEPT AS PROVIDED FOR IN SUBSECTION (B), EVERY  
23 PENNSYLVANIA LIQUOR STORE SHALL BE OPEN FOR BUSINESS WEEK DAYS,  
24 EXCEPT HOLIDAYS AS THAT TERM IS DEFINED IN SECTION 102. THE  
25 BOARD MAY, WITH THE APPROVAL OF THE GOVERNOR, TEMPORARILY CLOSE  
26 ANY STORE IN ANY MUNICIPALITY.

27 (B) CERTAIN PENNSYLVANIA LIQUOR STORES OPERATED BY THE BOARD  
28 SHALL BE OPEN FOR SUNDAY RETAIL SALES BETWEEN THE HOURS OF NOON  
29 AND FIVE O'CLOCK POSTMERIDIAN, EXCEPT THAT NO SUNDAY SALES SHALL  
30 OCCUR ON EASTER SUNDAY OR CHRISTMAS DAY. THE BOARD SHALL OPEN UP

1 TO TWENTY-FIVE PER CENTUM OF THE TOTAL NUMBER OF PENNSYLVANIA  
2 LIQUOR STORES, EXCLUDING ANY STORE DESIGNATED AS A SATELLITE  
3 WINE STORE IN WHICH A WINE KIOSK IS UTILIZED, AT ITS DISCRETION  
4 FOR SUNDAY SALES AS PROVIDED FOR IN THIS SUBSECTION. THE BOARD  
5 SHALL SUBMIT YEARLY REPORTS TO THE APPROPRIATIONS AND THE LAW  
6 AND JUSTICE COMMITTEES OF THE SENATE AND THE APPROPRIATIONS AND  
7 THE LIQUOR CONTROL COMMITTEES OF THE HOUSE OF REPRESENTATIVES  
8 SUMMARIZING THE TOTAL DOLLAR VALUE OF SALES UNDER THIS SECTION.

9 SECTION 5. SECTIONS 411(E) AND 438(C) OF THE ACT ARE AMENDED  
10 TO READ:

11 Section 411. Interlocking Business Prohibited.--\* \* \*

12 (e) Except as herein provided, no hotel, restaurant, retail  
13 dispenser or club licensee, and no officer, director or  
14 stockholder, agent or employe of any such licensee shall in any  
15 wise be interested, directly or indirectly, in the ownership or  
16 leasehold of any property or the equipment of any property or  
17 any mortgage lien against the same, used by a distributor,  
18 importing distributor, or by an importer or sacramental wine  
19 licensee, in the conduct of his business; nor shall any hotel,  
20 restaurant, retail dispenser or club licensee, or any officer,  
21 director, stockholder, agent or employe of any such licensee,  
22 either directly or indirectly, lend any moneys, credit, or give  
23 anything of value or the equivalent thereof, to any distributor,  
24 importing distributor, importer or sacramental wine licensee,  
25 for equipping, fitting out, or maintaining and conducting,  
26 either in whole or in part, an establishment used in the conduct  
27 of his business.

28 The purpose of this section is to require a separation of the  
29 financial and business interests between manufacturers and  
30 holders of hotel or restaurant liquor licenses and, as herein

1 provided, of club licenses, issued under this article, and no  
2 person shall, by any device whatsoever, directly or indirectly,  
3 evade the provisions of the section. But in view of existing  
4 economic conditions, nothing contained in this section shall be  
5 construed to prohibit the ownership of property or conflicting  
6 interest by a manufacturer of any place occupied by a licensee  
7 under this article after the manufacturer has continuously owned  
8 and had a conflicting interest in such place for a period of at  
9 least five years prior to July eighteenth, one thousand nine  
10 hundred thirty-five: Provided, however, That this clause shall  
11 not prohibit any hotel, restaurant or club liquor licensee from  
12 owning land which is leased to, and the buildings thereon owned  
13 by, a holder of a retail dispenser's license; and nothing in  
14 this clause shall prevent the issuance of a retail dispenser's  
15 license to a lessee of such lands who owns the buildings  
16 thereon: And, provided further, That nothing contained in this  
17 section shall be construed to prohibit any hotel, restaurant,  
18 retail dispenser or club licensee or any officer, director or  
19 stockholder, agent or employe of any such licensee from having a  
20 financial or other interest, directly or indirectly in the  
21 ownership or leasehold of any property or the equipment of any  
22 property or any mortgage lien against same, used, leased by an  
23 importer or sacramental wine licensee for the exclusive purpose  
24 of maintaining commercial offices and on the condition that said  
25 property is not used for the storage or sale of liquor or malt  
26 or brewed beverages in any quantity[.]: And, provided further,  
27 That nothing contained in this section shall be construed to  
28 prohibit a member of the governing board of a public authority  
29 created under subdivision (n) of Article XXIII of the act of  
30 August 9, 1955 (P.L.323, No.130), known as "The County Code,"

1 from having an interest in a distributor or importing  
2 distributor license notwithstanding the fact that the public  
3 authority has an interest in one or more retail licenses or acts  
4 as a landlord for one or more retail licenses: AND, PROVIDED ←  
5 FURTHER, THAT NOTWITHSTANDING ANY OTHER PROVISION OF THIS  
6 SECTION, AN ENTITY MAY ACQUIRE BOTH A MANUFACTURER'S LICENSE OR  
7 A LIMITED WINERY LICENSE AND A HOTEL, RESTAURANT OR RETAIL  
8 DISPENSER LICENSE FOR USE AT THE SAME LOCATION AND MORE THAN ONE  
9 LOCATION MAY BE SO LICENSED. THE LICENSES AND A PERSON'S  
10 INTEREST IN THE LICENSES OR IN THE ENTITY HOLDING THE LICENSES  
11 SHALL NOT BE SUBJECT TO THIS SECTION.

12 Section 438. Number and Kinds of Licenses Allowed Same  
13 Licensee.--\* \* \*

14 (c) No person shall possess more than one class of license,  
15 except that a holder of a retail dispenser's license may also be  
16 a holder of a retail liquor license[.]: Provided, however, That  
17 nothing contained in this section shall be construed to prohibit  
18 a member of the governing board of a public authority created  
19 under subdivision (n) of Article XXIII of the act of August 9,  
20 1955 (P.L.323, No.130), known as "The County Code," from having  
21 an interest in a distributor or importing distributor license  
22 notwithstanding the fact that the public authority has an  
23 interest in one or more retail licenses or acts as a landlord  
24 for one or more retail licenses: AND, PROVIDED FURTHER, THAT ←  
25 NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, AN ENTITY  
26 MAY ACQUIRE BOTH A MANUFACTURER'S LICENSE OR A LIMITED WINERY  
27 LICENSE AND A HOTEL, RESTAURANT OR RETAIL DISPENSER LICENSE FOR  
28 USE AT THE SAME LOCATION AND MORE THAN ONE LOCATION MAY BE SO  
29 LICENSED. THE LICENSES AND A PERSON'S INTEREST IN THE LICENSES  
30 OR IN THE ENTITY HOLDING THE LICENSES SHALL NOT BE SUBJECT TO



1 THIS SECTION.

2 Section 26. Section 443(g) of the act, amended May 31, 1996 ←  
3 (P.L.312, No.49), is amended to read:

4 Section 443. Interlocking Business Prohibited.--\* \* \*

5 (g) The purpose of this section is to require a separation  
6 of the financial and business interests between the various  
7 classes of business regulated by subdivision (B) of this  
8 article, and no person or corporation shall, by any device  
9 whatsoever, directly or indirectly, evade the provisions of this  
10 section. But in view of existing economic conditions, nothing  
11 contained in this section shall be construed to prohibit the  
12 ownership of property or conflicting interest by a malt or  
13 brewed beverage manufacturer of any place occupied by a  
14 distributor, importing distributor or retail dispenser after the  
15 manufacturer has continuously owned and had a conflicting  
16 interest in such place for a period of at least five years prior  
17 to the eighteenth day of July, one thousand nine hundred thirty-  
18 five: Provided, however, That a holder of a manufacturer's  
19 license under section 431(a) who is eligible to operate a  
20 brewery pub under section 446(2) or a limited winery as provided  
21 for under section 505.2 may also hold and operate under a hotel  
22 liquor license, a restaurant liquor license or a malt and brewed  
23 beverages retail license on the manufacturer's or limited  
24 winery's licensed premises. The hotel liquor license or  
25 restaurant liquor license or the malt and brewed beverages  
26 retail license shall be acquired by the manufacturer or limited  
27 winery subject to section 461 and shall satisfy all requirements  
28 for each respective license[.]: And, provided further, That  
29 nothing contained in this section shall be construed to prohibit  
30 a member of the governing board of a public authority created

1 under subdivision (n) of Article XXIII of the act of August 9,  
2 1955 (P.L.323, No.130), known as "The County Code," from having  
3 an interest in a distributor or importing distributor license  
4 notwithstanding the fact that the public authority has an  
5 interest in one or more retail licenses or acts as a landlord  
6 for one or more retail licenses.

7 The term "manufacturer" as used in this section shall include  
8 manufacturers of malt or brewed beverages as defined in this act  
9 and any person manufacturing any malt or brewed beverages  
10 outside of this Commonwealth.

11 SECTION 7. SECTION 493(24)(II) OF THE ACT, AMENDED NOVEMBER  
12 29, 2006 (P.L.1421, NO.155), IS AMENDED TO READ: ←

13 SECTION 493. UNLAWFUL ACTS RELATIVE TO LIQUOR, MALT AND  
14 BREWED BEVERAGES AND LICENSEES.--THE TERM "LICENSEE," WHEN USED  
15 IN THIS SECTION, SHALL MEAN THOSE PERSONS LICENSED UNDER THE  
16 PROVISIONS OF ARTICLE IV, UNLESS THE CONTEXT CLEARLY INDICATES  
17 OTHERWISE.

18 IT SHALL BE UNLAWFUL--

19 \* \* \*

20 (24) \* \* \*

21 (II) NOTWITHSTANDING SUBCLAUSE (I) OR ANY OTHER PROVISION OF  
22 LAW, A HOLDER OF A RESTAURANT LICENSE THAT IS ALSO APPROVED TO  
23 HOLD A SLOT MACHINE LICENSE OR A CONDITIONAL SLOT MACHINE  
24 LICENSE UNDER 4 PA.C.S. PART II (RELATING TO GAMING) MAY GIVE  
25 LIQUOR AND MALT OR BREWED BEVERAGES FREE OF CHARGE TO ANY PERSON  
26 ACTIVELY ENGAGED IN PLAYING A SLOT MACHINE. FURTHER,  
27 NOTWITHSTANDING SUBCLAUSE (I) OR ANY OTHER PROVISION OF LAW, THE  
28 BOARD MAY ESTABLISH AND IMPLEMENT A CUSTOMER RELATIONS MARKETING  
29 PROGRAM FOR THE PURPOSE OF OFFERING INCENTIVES, SUCH AS COUPONS  
30 OR DISCOUNTS ON CERTAIN PRODUCTS WHICH MAY BE CONDITIONED UPON

1 THE PURCHASE OF LIQUOR, TO CUSTOMERS OF THE BOARD.

2 \* \* \*

3 SECTION 8. SECTION 505 OF THE ACT, AMENDED DECEMBER 21, 1998  
4 (P.L.1202, NO.155), IS AMENDED TO READ:

5 SECTION 505. LICENSES ISSUED.--UPON RECEIPT OF THE  
6 APPLICATION IN THE FORM HEREIN PROVIDED AND THE PROPER FEES, THE  
7 BOARD MAY GRANT TO SUCH APPLICANT A LICENSE TO ENGAGE IN, (A)  
8 THE OPERATION OF A LIMITED WINERY OR A WINERY; OR, (B) THE  
9 MANUFACTURING, PRODUCING, DISTILLING, DEVELOPING, OR USING IN  
10 THE PROCESS OF MANUFACTURING, DENATURING, REDISTILLING,  
11 RECOVERING, RECTIFYING, BLENDING AND REUSING OF ALCOHOL AND  
12 LIQUOR; OR, (C) THE HOLDING IN BOND OF ALCOHOL AND LIQUOR; OR,  
13 (D) THE HOLDING IN STORAGE, AS BAILEE FOR HIRE, OF ALCOHOL,  
14 LIQUOR AND MALT OR BREWED BEVERAGES; OR, (E) THE TRANSPORTING  
15 FOR HIRE OF ALCOHOL, LIQUOR AND MALT OR BREWED BEVERAGES. SUCH  
16 LICENSES MAY BE TRANSFERRED FROM ONE PERSON TO ANOTHER OR FROM  
17 ONE PLACE TO ANOTHER, OR BOTH. EVERY APPLICANT FOR A TRANSFER OF  
18 SUCH LICENSES SHALL FILE A WRITTEN APPLICATION WITH THE BOARD,  
19 TOGETHER WITH A FILING FEE OF FIVE HUNDRED FIFTY DOLLARS (\$550)  
20 IF THE TRANSFER IS TO A NEW LOCATION, SIX HUNDRED FIFTY DOLLARS  
21 (\$650) IF THE TRANSFER IS TO A NEW PERSON, OR SEVEN HUNDRED  
22 DOLLARS (\$700) IF THE TRANSFER IS TO A NEW PERSON FOR USE AT A  
23 NEW LOCATION. WHENEVER SUCH A LICENSE IS TRANSFERRED, NO LICENSE  
24 OR OTHER FEES SHALL BE REQUIRED FROM THE PERSONS TO WHOM SUCH  
25 TRANSFER IS MADE FOR THE PORTION OF THE LICENSE PERIOD FOR WHICH  
26 THE LICENSE FEE HAS BEEN PAID BY THE TRANSFEROR.

27 Section 39. This act shall take effect in 60 days.

