
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 242 Session of
2011

INTRODUCED BY EVERETT, BARRAR, COHEN, D. COSTA, GROVE,
HENNESSEY, KORTZ, MANN, MUSTIO, PAYTON, PYLE, REICHLEY,
STURLA, TOEPEL, VULAKOVICH AND HARHAI, JANUARY 26, 2011

REFERRED TO COMMITTEE ON LIQUOR CONTROL, JANUARY 26, 2011

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 distilleries.

18 The General Assembly of the Commonwealth of Pennsylvania
19 hereby enacts as follows:

20 Section 1. Section 505.4 of the act of April 12, 1951
21 (P.L.90, No.21), known as the Liquor Code, reenacted and amended
22 June 29, 1987 (P.L.32, No.14) and added December 8, 2004
23 (P.L.1810, No.239), is amended to read:

24 Section 505.4. Distilleries.--(a) The board may issue a
25 distillery of historical significance license to any distillery

1 which was established prior to January 1, 1875. The holder of
2 the license may manufacture and sell liquor produced on the
3 licensed premises to the board, to entities licensed by the
4 board and to the public under such conditions and regulations as
5 the board may enforce. Production at the distillery of
6 historical significance shall be limited to an amount not to
7 exceed twenty thousand (20,000) gallons per year. The distillery
8 does not need to establish continuous operation since January 1,
9 1875, in order to qualify for a license under this section.

10 (b) (1) The board may issue a limited distillery license
11 that will allow the holder thereof to operate a distillery that
12 shall not exceed production of forty thousand (40,000) gallons
13 of distilled liquor per year. The holder of the license may
14 manufacture and sell bottled liquors produced on the licensed
15 premises to the board to entities licensed by the board and to
16 the public between the hours of nine o'clock antemeridian and
17 nine o'clock postmeridian and under such conditions and
18 regulations as the board may enforce.

19 (2) The holder of a limited distillery license may,
20 separately or in conjunction with other limited distillery
21 licensees, sell bottled liquors produced by the distillery at no
22 more than two (2) board-approved locations other than the
23 licensed premises, with no bottling or production requirement at
24 those additional board-approved locations and under such
25 conditions and regulations as the board may enforce to the
26 board, to individuals and to entities licensed by the board.

27 (3) The holder of a limited distillery license may apply for
28 and hold a hotel liquor license, a restaurant liquor license or
29 a malt and brewed beverages retail license to sell for
30 consumption at the restaurant or limited distillery on the

1 licensed distillery premises liquor, wine and malt or brewed
2 beverages regardless of the place of manufacture under the same
3 conditions and regulations as any other hotel liquor license,
4 restaurant liquor license or malt and brewed beverages retail
5 license.

6 (4) The holder of a limited distillery license may sell food
7 for consumption on or off the licensed premises and sell by the
8 glass only liquor that may otherwise be sold by the bottle.

9 (5) The holder of a limited distillery license may provide
10 tasting samples of liquor in individual portions not to exceed
11 one (1) fluid ounce on the licensed premises and at the two (2)
12 board-approved locations. Samples may be sold or provided free
13 of charge and may only be provided between the hours of nine
14 o'clock antemeridian and nine o'clock postmeridian.

15 (6) The fee for the limited distillery license shall be in
16 an amount to be determined by the board but shall not exceed one
17 thousand five hundred dollars (\$1,500).

18 (c) (1) The holder of a distillery license as issued under
19 section 505 may sell bottled liquors produced on the licensed
20 premises to the board, to entities licensed by the board and to
21 the public between the hours of nine o'clock antemeridian and
22 nine o'clock postmeridian and under such conditions and
23 regulations as the board may enforce.

24 (2) The holder of a distillery license as issued under
25 section 505 may provide tasting samples of liquor in individual
26 portions not to exceed one (1) fluid ounce. Samples may be sold
27 or provided free of charge between the hours of nine o'clock
28 antemeridian and nine o'clock postmeridian.

29 Section 2. This act shall take effect in 60 days.