
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 39 Session of
2015

INTRODUCED BY P. COSTA, BARRAR, V. BROWN, BROWNLEE, COHEN,
D. COSTA, DeLUCA, DONATUCCI, ELLIS, PHILLIPS-HILL, JAMES,
KILLION, KOTIK, MILLARD, MUSTIO, O'BRIEN, SCHREIBER, MAHONEY,
HARHAI AND SABATINA, MAY 6, 2015

REFERRED TO COMMITTEE ON LIQUOR CONTROL, MAY 6, 2015

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," in
17 distilleries, wineries, bonded warehouses, bailees for hire
18 and transporters for hire, further providing for
19 distilleries.

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

22 Section 1. Section 505.4(b) of the act of April 12, 1951
23 (P.L.90, No.21), known as the Liquor Code, reenacted and amended
24 June 29, 1987 (P.L.32, No.14), is amended by adding clauses to
25 read:

1 Section 505.4. Distilleries.--* * *

2 (b) * * *

3 (8) At the discretion of the board, the holder of a limited
4 distillery license may obtain a special permit to participate in
5 alcoholic cider, wine and food expositions off the licensed
6 premises. A special permit shall be issued upon proper
7 application and payment of a fee of thirty dollars (\$30) per day
8 for each day of permitted use, not to exceed thirty (30)
9 consecutive days. The total number of days for all the special
10 permits may not exceed one hundred (100) days in any calendar
11 year. A special permit shall entitle the holder to engage in the
12 sale by the glass, by the bottle or in case lots of liquor
13 produced by the permittee under the authority of a limited
14 distillery license. Holders of special permits may provide
15 tasting samples of liquor in individual portions not to exceed
16 one and one-half (1.5) fluid ounces. Samples at alcoholic cider,
17 wine and food expositions may be sold or offered free of charge.
18 Except as provided in this clause, limited distilleries
19 utilizing special permits shall be governed by all applicable
20 provisions of this act as well as by all applicable regulations
21 or conditions adopted by the board. For the purposes of this
22 clause, "alcoholic cider, wine and food expositions" are defined
23 as affairs held indoors or outdoors with the intent of promoting
24 Pennsylvania products by educating those in attendance of the
25 availability, nature and quality of Pennsylvania-produced
26 alcoholic ciders and wines in conjunction with suitable food
27 displays, demonstrations and sales. Alcoholic cider, wine and
28 food expositions may also include activities other than
29 alcoholic cider, wine and food displays, including arts and
30 crafts, musical activities, cultural exhibits, agricultural

1 exhibits and farmers markets.

2 (8.1) At the discretion of the board, the holder of a
3 limited distillery license may obtain a farmers market permit.
4 The permit shall entitle the holder to participate in more than
5 one (1) farmers market at any given time and an unlimited number
6 throughout the year and sell liquor produced under the authority
7 of the underlying limited distillery license by the bottle or in
8 case lots. Samples not to exceed one and one-half (1.5) fluid
9 ounces per brand of liquor may be offered free of charge. A
10 farmers market permit shall be issued upon proper application
11 and payment of an annual fee of two hundred fifty dollars
12 (\$250). A permit holder may participate in more than one (1)
13 farmers market at any given time. Sales by permit holders shall
14 take place during the standard hours of operation of the farmers
15 market. Written notice of the date, times and location the
16 permit is to be used shall be provided by the permit holder to
17 the enforcement bureau at least two (2) weeks prior to the
18 event. Except as provided in this subsection, limited
19 distilleries utilizing farmers market permits shall be governed
20 by all applicable provisions of this act as well as by all
21 applicable regulations adopted by the board.

22 * * *

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