

What You Need to Know About the New Liquor Law

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On June 8, 2016, Governor Tom Wolf signed into law HB 1690, a liquor bill aimed at modernizing Pennsylvania's liquor system by creating greater flexibility for both consumers and sellers of alcohol. Below are some highlights of the new liquor law which are relevant for hotels, restaurants, and other businesses selling liquor, wine and beer within the Commonwealth.

As a result of the new law, various types of businesses will have expanded abilities to sell alcohol. Licensed hotels and restaurants (including grocery stores with restaurant licenses) will now be able to pay an additional fee for an expanded wine permit which enables these businesses to sell up to four bottles of wine per customer for take-out. The prior ban on granting a liquor license to gas stations or other similar businesses which were previously prohibited outright from obtaining a liquor license can now, with permission from the Pennsylvania Liquor Control Board, have an "interior connection" to an area that is licensed to sell beer, and that retail business can be run by the gas station or by another entity. Breweries will be able to sell a wider variety of products for on-site consumption, including liquor and wine produced by holders of limited distillery and wine permits respectively. Additionally, breweries and distilleries will now be able to apply for a "special farmer's market permit" to sell their products to farmers markets, food expositions, arts and crafts activities, musical activities, cultural exhibits, and agricultural exhibits. Additionally, certain wine producers will be able to ship wine directly to customers' homes.

The law removes certain restrictions on the hours during which Pennsylvania Liquor Stores can sell alcohol, instead giving the Board the discretion to determine the appropriate hours for retail sales. For example, restrictions on Sunday and holiday sales by the state liquor stores have been removed, and casinos will be eligible to sell alcohol twenty-four hours a day, seven days a week.

Businesses wishing to take advantage of the new aspects of the law will need to apply for expanded permits or new licenses altogether, depending on the situation. For example, a hotel wishing to sell bottles of wine to-go or a brewery wishing to sell beer at a food exposition or farmers market will need to apply for expanded or special permits, while a casino wishing to sell alcohol 24/7 will need to apply for a new license specifically for casinos.

The new law also provides a procedure by which as many as fifty restaurant liquor licenses per county can become available for auction by the Pennsylvania Liquor Control Board each year. The licenses which would be auctioned off are those which are otherwise not in use (either because of revocation, nonrenewal, or failure to meet other statutory requirements defined in the law), and the successful bidder must comply with certain other requirements to purchase the restaurant liquor license.

The law takes effect on August 8, 2016. Our attorneys can assist you with applying for the new permits under the Pennsylvania liquor law.

* This legal update was co-authored by Brittany Mosi. Brittany is a rising third year law student currently attending Georgetown University Law Center and working as a summer associate at Barley Snyder.

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Maria Di Stravolo Elliott

Partner

Tel: (717) 399-1517

Email: melliott@barley.com



Abby Medin Tucker

Counsel

Tel: (717) 399-1530

Email: atucker@barley.com