
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 829 Session of
2023

INTRODUCED BY GERGELY, SANCHEZ, MADDEN, DEASY, HILL-EVANS AND
KUZMA, APRIL 4, 2023

REFERRED TO COMMITTEE ON LIQUOR CONTROL, APRIL 4, 2023

AN ACT

1 Amending the act of April 12, 1951 (P.L.90, No.21), entitled "An
2 act relating to alcoholic liquors, alcohol and malt and
3 brewed beverages; amending, revising, consolidating and
4 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 licenses and regulations and liquor, alcohol and malt and
18 brewed beverages, further providing for interlocking business
19 prohibited and for unlawful acts relative to liquor, malt and
20 brewed beverages and licensees.

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

23 Section 1. Sections 411(e.1) and 493(11) of the act of April
24 12, 1951 (P.L.90, No.21), known as the Liquor Code, are amended
25 to read:

26 Section 411. Interlocking Business Prohibited.--* * *

27 (e.1) Nothing in subsection (e) shall prohibit any of the

1 following:

2 (1) A person who has an ownership interest in a limited
3 winery license from being employed by an entity that holds a
4 hotel, restaurant, eating place or club license if the person is
5 not employed as [alcohol service personnel or as] manager.

6 (2) A person who has an ownership interest in a brewery
7 license from being employed by an entity that holds a hotel,
8 restaurant, eating place or club license if the person [has no
9 job duties or responsibilities on, or connected with, the
10 licensed premises in any capacity] is not employed as manager.

11 * * *

12 Section 493. Unlawful Acts Relative to Liquor, Malt and
13 Brewed Beverages and Licensees.--The term "licensee," when used
14 in this section, shall mean those persons licensed under the
15 provisions of Article IV, unless the context clearly indicates
16 otherwise.

17 It shall be unlawful--

18 * * *

19 (11) Licensees Employed by Others. For any hotel, restaurant
20 or club liquor licensee, or any malt or brewed beverage
21 licensee, or any officer[, servant, agent or employe] or manager
22 of such licensee, to be at the same time employed, directly or
23 indirectly, by any distributor, importing distributor,
24 manufacturer, importer or vendor licensee or any out of State
25 manufacturer. It shall also be unlawful for any distributor or
26 importing distributor, or any officer[, servant, agent or
27 employe] or manager of such licensee, to be at the same time
28 employed, directly or indirectly, by any other distributor,
29 importing distributor, manufacturer, importer, vendor, out of
30 State manufacturer, hotel restaurant, malt or brewed beverage

1 licensee, or club liquor licensee. It shall also be unlawful for
2 any manufacturer, importer, or vendor licensee, or any out of
3 State manufacturer, or any officer[, servant, agent or employe]
4 or manager of such licensee or manufacturer, to be at the same
5 time employed, directly or indirectly, by any hotel, restaurant
6 or club liquor licensee or any malt or brewed beverage licensee
7 or any distributor or importing distributor licensee. Nothing in
8 this subsection shall be construed to prohibit a manufacturer or
9 limited winery licensee, or any officer[, servant, agent or
10 employe] or manager of such licensee, to be employed at the same
11 time by a hotel, restaurant or retail dispenser licensee if the
12 hotel, restaurant or retail dispenser licensee is located at the
13 manufacturer or limited winery premises pursuant to section 443.
14 For the purposes of this subsection, an officer[, servant, agent
15 or employe] or manager of a licensee or manufacturer is an
16 individual who has either an ownership interest in the licensee
17 or manufacturer or who [receives compensation for his or her
18 work on behalf of the licensee or manufacturer] has been
19 approved as the licensee's manager by the board: Provided
20 further, That nothing in this section shall prohibit a person
21 who has an ownership interest in a limited winery license from
22 being employed by an entity that holds a hotel, restaurant,
23 eating place or club license if the person is not employed as
24 alcohol service personnel or as a manager: And, provided
25 further, That nothing in this section shall prohibit a person
26 who has an ownership interest in a brewery license from being
27 employed by an entity that holds a hotel, restaurant, eating
28 place or club license if the person has no job duties or
29 responsibilities on, or connected with, the licensed premises in
30 any capacity.

1 * * *

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