

CHAPTER 23
FORMERLY
HOUSE BILL NO. 31

AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS AND THE FILLINGS OF GROWLERS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Three-fifths of all members elected to each house thereof concurring therein):

Section 1. Amend §516(a), Title 4 of the Delaware Code by making insertions as shown by underlining as follows:

§ 516. Consumption off premises of hotel, restaurant, club, store or taproom.

(a) Any person in charge of a hotel, restaurant, club or store (other than a grocery, delicatessen or cigar store), whether owner, lessee or manager, and recognized as such by the Commissioner, may apply to the Commissioner for a license to purchase and to keep and sell and deliver on the premises only spirits, wine or beer by the bottle or half bottle only, but not for consumption on the premises where sold, or in any dependency thereof. All bottles so sold shall be delivered to the purchaser and shall be removed from the premises where sold with the seals of such bottles unbroken, with the exception of those licenses that are approved by the Commissioner for a Growler Filler permit which allows a licensee to purchase beer by the keg or partial keg and fill containers at time of purchase which will then be capped to leave the licensed premises for consumption off of the premises. For purposes of issuing a new license under this section, all establishments licensed for the sale of alcoholic liquors, but not for consumption on the premises where sold, shall be considered as being of the same type; provided, however, this shall not apply to the transfer of ownership or the renewal of an existing license.

Section 2. Amend §554, Title 4 of the Delaware Code by making insertions as shown by underlining as follows:

(oo) For a Growler Filler permit as provided in §516(a) of this title, the biennial license fee shall be \$150.

Approved May 16, 2013