



SPONSOR: Rep. Schwartzkopf & Sen. Sturgeon & Rep. Smyk &
Sen. Hocker & Sen. Lopez & Sen. Pettyjohn
Reps. K. Johnson, Osienski, Michael Smith; Sen. Sokola

HOUSE OF REPRESENTATIVES
151st GENERAL ASSEMBLY

HOUSE BILL NO. 427

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

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend § 904, Title 4 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 904. Offenses concerning certain persons.

4 (g) Nothing in this section shall prevent the employment of a person, 14 years of age or older, in clubs with
5 authorized dining facilities, hotels, racetracks and restaurants licensed under this title ~~where such employment has been~~
6 ~~authorized by permit issued by the Commission~~, provided that such a person shall not be involved in the sale or service of
7 alcoholic liquor.

8 Section 2. Amend § 302, Title 4 of the Delaware Code by making deletions as shown by strike through and
9 insertions as shown by underline as follows:

10 § 302. ~~Location of office.~~

11 ~~The office of the Commissioner shall be located in New Castle County. [Repealed.]~~

SYNOPSIS

House Bill 373, passed by the 151st General Assembly, clarified that persons 14 and 15 years of age can be employed in such places where alcoholic beverages are served, but cannot be involved in the sale or service of alcoholic beverages. Currently, the Department of Labor (DOL) has a robust process for youth (those not yet 18) to apply for a work permit. Youth may not work in the state unless they have a DOL-issued work permit which is required to be kept on file with the employer. The OABCC statute requires an additional work permit. Youth must obtain two, separate work permits after going through two separate processes to obtain one job. This legislation will streamline that process for our youth, requiring them to obtain just one work permit from the Department of Labor.

Additionally, this legislation will permit employees in the Office of the Alcoholic Beverage and Control Commissioner (“OABCC”) to work in any of the three counties. Sussex County is experiencing an increase in growth. The OABCC has just one licensing inspector who is responsible for performing licensing inspections for the entire state. With this change, the OABCC could create a more efficient operation to serve all three counties for those who are licensed to sell and serve alcoholic beverages in the state.