



SPONSOR: Rep. Michael Smith & Rep. Schwartzkopf &
Sen. Pettyjohn
Reps. Bolden, Ramone, Spiegelman, Yearick

HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 221

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 § 512, Title 4 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 512. Licenses.

4 ~~e. If sold by a restaurant, comply with 1 of the following requirements:~~

5 ~~1. The alcoholic liquor is sold with the customer's purchase of food that costs at least \$10.~~

6 ~~2. The alcoholic liquor is ice cream containing up to 10% alcohol by volume.~~

7 (k) Any person who holds a valid restaurant license issued by the Commissioner may deny a minor, as defined in §
8 708 of this title, admission to or permission to remain on the premises after 9:00 p.m. (official Eastern time) unless
9 accompanied by a parent or by a legal guardian.

10 ~~(l) Notwithstanding any rules, regulations, and provision of this title to the contrary, any person who holds a valid~~
11 ~~restaurant license issued by the Commissioner is not required to serve complete meals for the consideration of patrons after~~
12 ~~9:00 p.m. (official Eastern Time).~~

13 Section 2. Amend § 512B, Title 4 of the Delaware Code by making deletions as shown by strike through and
14 insertions as shown by underline as follows:

15 § 512B. Brewery-pubs.

16 (c) It is unlawful for a person to operate a brewery-pub if any of the following apply:

17 (1) The restaurant portion of the licensed establishment fails to offer complete meals for consideration to
18 patrons prior to 9 p.m. (official Eastern Time) or fails to operate as a bona fide restaurant as defined by Commissioner
19 rules or this title.

20 (2) The license is denied, cancelled, suspended, or revoked for any of the grounds contained in § 543 or § 561
21 of this title.

22 (3) The business is transferred to a different location.

SYNOPSIS

This Act amends the requirements necessary for a premises to sell alcoholic liquors for off-premise consumption by removing the requirements for the alcoholic liquor to be sold with a purchase of food that costs at least ten dollars, or to be in ice cream containing up to 10% alcohol by volume. This Act also removes the requirements that restaurants and brewery-pubs continue to sell full meals to patrons after 9 p.m.