



SPONSOR: Rep. Michael Smith & Sen. Pettyjohn  
Reps. Briggs King, Hensley, Ramone, K. Williams,  
Yearick

HOUSE OF REPRESENTATIVES  
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 226

AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO PURCHASE, SALE, AND DISPENSING OF ALCOHOL.

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

1 Section 1. Amend § 524, Title 4 of the Delaware Code by making deletions as shown by strike through and  
2 insertions as shown by underline as follows:

3 § 524. Notice of application.

4 (e) The term "substantive change" referenced in this section shall mean any of the following:

5 (1) Any permanent change that will increase the square footage of the licensed premises;

6 (2) Any temporary change that will last longer than 60 days and result in an increase of the square footage of  
7 the licensed premises;

8 (3) Any change that would require a variance of the Commissioner's rules or suspension thereof and results  
9 in:

10 a. Live entertainment, ~~on a licensed patio~~ including live music with, or without, the use of public-address  
11 (PA) systems, amplifiers, and speakers;

12 b. External speakers ~~or amplifiers on a licensed patio~~ for piped-in or pre-recorded music; or

13 c. Wet bar ~~on a licensed patio;~~

14 (4) Any change in the floor plan of a restaurant licensee which would increase the number of bar seats or  
15 increase the area utilized for entertainment; or

16 (5) Any additional circumstance that the Commissioner determines is a substantive change.

SYNOPSIS

Currently, an application for a new license to purchase for resale of alcoholic liquor for transfer of an existing license, or for a substantive change to a license or licensed premise, shall be filed with the Commission. This Act amends the definition of "substantive change" to include live music with or without the use of PA systems; and to include external speakers for "piped-in" or pre-recorded music.