

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 327 Session of 2019

INTRODUCED BY WARREN, HILL-EVANS, KORTZ, CALTAGIRONE AND FREEMAN, FEBRUARY 1, 2019

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES, APRIL 29, 2020

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 preliminary provisions, further providing for definitions;
18 and, in licenses and regulations, liquor, alcohol and malt
19 and brewed beverages, providing for prepared beverages and
20 mixed drinks for off-premises consumption during disaster
21 emergency AND REENACTING PROVISIONS RELATING TO LOCAL OPTION. <--

22 The General Assembly of the Commonwealth of Pennsylvania

23 hereby enacts as follows:

24 Section 1. Section 102 of the act of April 12, 1951 (P.L.90,
25 No.21), known as the Liquor Code, is amended by adding
26 definitions to read:

27 Section 102. Definitions.--The following words or phrases,

1 unless the context clearly indicates otherwise, shall have the
2 meanings ascribed to them in this section:

3 * * *

4 "Prepared beverage and mixed drink" shall mean a sealed
5 container of no less than four fluid ounces and no greater than
6 sixty-four fluid ounces in a single transaction that holds
7 spirits and mixers that are combined on a licensed premises.

8 * * *

9 "Sealed container" shall mean a packaged container with a
10 secure lid or cap designed to prevent consumption without
11 removal of the lid or cap. A lid with sipping holes or opening
12 for straws must be covered or affixed with an additional seal
13 before sale.

14 * * *

15 Section 2. The act is amended by adding a section to read:

16 Section 417. Prepared Beverages and Mixed Drinks for Off-
17 Premises Consumption During Disaster Emergency.--(a) The
18 following shall apply:

19 (1) Notwithstanding any provision of this act, a person
20 holding and possessing a valid restaurant or hotel liquor
21 license that lost more than twenty-five per centum (25%) of the
22 person's average monthly total sales, including alcohol sales,
23 as a result of restrictions imposed during the COVID-19 disaster
24 emergency may sell prepared beverages and mixed drinks for off-
25 premises consumption where meals prepared for pick-up or
26 curbside pick-up are also available.

27 (2) Except as provided in this paragraph and paragraph (4),
28 nothing in this section shall affect the ability of a licensee
29 to operate within the scope of its current license as authorized
30 by this act, provided, however, that no sales of prepared

1 beverages and mixed drinks for off-premises consumption shall
2 take place after eleven o'clock postmeridian of any day until
3 the licensee's permitted hours of operation under section 406 of
4 the next day, including Sundays if the licensee has a permit
5 authorized under sections 406(a)(3) and 432(f).

6 (3) The following licensees are prohibited from selling
7 prepared beverages and mixed drinks for off-premises consumption
8 under this section:

9 (i) A licensee whose underlying license is subject to a
10 pending objection by the director of the Bureau of Licensing or
11 the board under section 470(a.1), until the matter is decided.

12 (ii) A licensee whose underlying license has been suspended
13 under section 1799.6-E of the act of April 9, 1929 (P.L.343,
14 No.176), known as "The Fiscal Code."

15 (4) For purposes of selling prepared beverages and mixed
16 drinks for off-premises consumption, a licensed premises shall
17 not be subject to section 493(14).

18 (5) Withing sixty (60) days of the effective date of this
19 section, a licensee selling prepared beverages and mixed drinks
20 for off-premises consumption shall begin utilizing a transaction
21 scan device to verify the age of an individual who appears to be
22 under thirty-five (35) years of age before making a sale of
23 prepared beverages and mixed drinks for off-premises
24 consumption. A licensee may not sell or share consumers'
25 personal data from the use of a transaction scan device,
26 provided that the licensee may share the data with the
27 enforcement bureau of the board as evidence that the licensee is
28 in compliance with this paragraph.

29 (6) A licensee selling prepared beverages or mixed drinks
30 for off-premise consumption shall prominently post a warning

1 sign in a manner that puts consumers on notice of the
2 restrictions on alcoholic beverages under 75 Pa.C.S. § 3809
3 (relating to restriction on alcoholic beverages), and that the
4 prepared beverages and mixed drinks packaged for sale by the
5 licensee are open containers and may only be transported by the
6 driver of a motor vehicle in the vehicle's trunk or in some
7 other area of the vehicle that is not occupied by the driver or
8 passengers.

9 (b) Notwithstanding any other provision of this section or
10 provision of law to the contrary, a licensee selling prepared
11 beverages and mixed drinks for off-premises consumption may only
12 do so during the COVID-19 disaster emergency and during the
13 mitigation period after the termination of the disaster
14 emergency in which a licensee is operating at less than sixty
15 per centum (60%) capacity.

16 (c) A licensee may sell liquor to another licensee qualified
17 to sell prepared beverages and mixed drinks under this section.
18 The licensee shall notify the board in writing advising it of
19 the name of the licensee and identifying any product sold to
20 that licensee, as well as the description of the liquor,
21 including brand names, sizes and numbers of containers sold to
22 another licensee. The sales may only occur during the COVID-19
23 disaster emergency and during the mitigation period after the
24 termination of the disaster emergency in which a licensee is
25 operating at less than sixty per centum (60%) capacity.

26 (d) As used in this section, the following words and phrases
27 shall have the meanings given to them in this subsection unless
28 the context clearly indicates otherwise:

29 "COVID-19 disaster emergency" shall mean the proclamation of
30 disaster emergency issued by the Governor on March 6, 2020,

1 published at 50 Pa.B. 1644 (March 21, 2020), and any renewal of
2 the state of disaster emergency.

3 "Licensee" shall mean a person holding and possessing a valid
4 restaurant or hotel liquor license authorized to sell prepared
5 beverages or mixed drinks for off-premise consumption under
6 subsection (a)(1).

7 "Transaction scan device" shall mean a device capable of
8 deciphering, in an electronically readable format, the
9 information encoded on the magnetic strip, chip or bar code of
10 an identification card under section 495(a).

11 SECTION 3. SECTION 472(A) OF THE ACT IS REENACTED TO READ: <--

12 SECTION 472. LOCAL OPTION.--(A) IN ANY MUNICIPALITY OR ANY
13 PART OF A MUNICIPALITY WHERE SUCH MUNICIPALITY IS SPLIT SO THAT
14 EACH PART THEREOF IS SEPARATED BY ANOTHER MUNICIPALITY, AN
15 ELECTION MAY BE HELD, SUBJECT TO SUBSECTION (C), NOT OFTENER
16 THAN ONCE IN FOUR YEARS, TO DETERMINE THE WILL OF THE ELECTORS
17 WITH RESPECT TO THE GRANTING OF LIQUOR LICENSES TO HOTELS,
18 RESTAURANTS, RESORT FACILITIES AND CLUBS, NOT OFTENER THAN ONCE
19 IN FOUR YEARS, TO DETERMINE THE WILL OF THE ELECTORS WITH
20 RESPECT TO THE GRANTING OF LIQUOR LICENSES TO PUBLIC VENUES, TO
21 PERFORMING ARTS FACILITIES, TO CONTINUING CARE RETIREMENT
22 COMMUNITIES, TO HOTELS LOCATED ON PROPERTY OWNED BY AN
23 ACCREDITED COLLEGE OR UNIVERSITY, TO PRIVATELY-OWNED PRIVATE
24 GOLF COURSES OR TO PRIVATELY-OWNED PUBLIC GOLF COURSES, NOT
25 OFTENER THAN ONCE IN FOUR YEARS, TO DETERMINE THE WILL OF THE
26 ELECTORS WITH RESPECT TO THE GRANTING OF LICENSES TO RETAIL
27 DISPENSERS OF MALT AND BREWED BEVERAGES, NOT OFTENER THAN ONCE
28 IN FOUR YEARS, TO DETERMINE THE WILL OF THE ELECTORS WITH
29 RESPECT TO GRANTING OF LICENSES TO WHOLESALE DISTRIBUTORS AND
30 IMPORTING DISTRIBUTORS, NOT MORE THAN ONCE IN TWO YEARS, TO

1 DETERMINE THE WILL OF THE ELECTORS WITH RESPECT TO THE GRANTING
2 OF CLUB LIQUOR LICENSES OR CLUB RETAIL DISPENSER LICENSES TO
3 INCORPORATED UNITS OF NATIONAL VETERANS' ORGANIZATIONS, NOT
4 OFTENER THAN ONCE IN TWO YEARS TO DETERMINE THE WILL OF THE
5 ELECTORS WITH RESPECT TO THE GRANTING OF SPECIAL OCCASION
6 PERMITS TO QUALIFIED ORGANIZATIONS, NOT MORE THAN ONCE IN FOUR
7 YEARS, TO DETERMINE THE WILL OF THE ELECTORS WITH RESPECT TO THE
8 ESTABLISHMENT, OPERATION AND MAINTENANCE BY THE BOARD OF
9 PENNSYLVANIA LIQUOR STORES, WITHIN THE LIMITS OF SUCH
10 MUNICIPALITY OR PART OF A SPLIT MUNICIPALITY, OR NOT MORE THAN
11 ONCE IN TWO YEARS, TO DETERMINE THE WILL OF THE ELECTORS WITH
12 RESPECT TO THE GRANTING OF LIQUOR LICENSES TO SKI RESORT
13 FACILITIES, UNDER THE PROVISIONS OF THIS ACT: PROVIDED, THAT AN
14 ELECTION ON THE QUESTION OF ESTABLISHING AND OPERATING A STATE
15 LIQUOR STORE SHALL BE INITIATED ONLY IN THOSE MUNICIPALITIES, OR
16 THAT PART OF A SPLIT MUNICIPALITY THAT SHALL HAVE VOTED AGAINST
17 THE GRANTING OF LIQUOR LICENSES; AND THAT AN ELECTION ON THE
18 QUESTION OF GRANTING WHOLESALE DISTRIBUTOR AND IMPORTING
19 DISTRIBUTOR LICENSES SHALL BE INITIATED ONLY IN THOSE
20 MUNICIPALITIES OR PARTS OF SPLIT MUNICIPALITIES THAT SHALL HAVE
21 AT A PREVIOUS ELECTION VOTED AGAINST THE GRANTING OF DISPENSER'S
22 LICENSES. EXCEPT FOR A MUNICIPALITY OR PART OF A SPLIT
23 MUNICIPALITY LOCATED IN A COUNTY OF THE SECOND CLASS A, WHENEVER
24 ELECTORS EQUAL TO AT LEAST TWENTY-FIVE PER CENTUM OF THE HIGHEST
25 VOTE CAST FOR ANY OFFICE IN THE MUNICIPALITY OR PART OF A SPLIT
26 MUNICIPALITY AT THE LAST PRECEDING GENERAL ELECTION SHALL FILE A
27 PETITION WITH THE COUNTY BOARD OF ELECTIONS OF THE COUNTY FOR A
28 REFERENDUM ON THE QUESTION OF GRANTING ANY OF SAID CLASSES OF
29 LICENSES OR THE ESTABLISHMENT OF PENNSYLVANIA LIQUOR STORES, THE
30 SAID COUNTY BOARD OF ELECTIONS SHALL CAUSE A QUESTION TO BE

1 PLACED ON THE BALLOTS OR ON THE VOTING MACHINE BOARD AND
2 SUBMITTED AT ANY ELECTION. IN A COUNTY OF THE SECOND CLASS A,
3 WHENEVER ELECTORS EQUAL TO AT LEAST TWENTY-FIVE PER CENTUM OF
4 THE HIGHEST VOTE CAST FOR ANY OFFICE IN A MUNICIPALITY OR PART
5 OF A SPLIT MUNICIPALITY AT THE LAST PRECEDING GENERAL ELECTION,
6 OR WHENEVER FIVE HUNDRED ELECTORS OF A MUNICIPALITY OR PART OF A
7 SPLIT MUNICIPALITY, WHICHEVER IS LESS, SIGN A PETITION FOR A
8 REFERENDUM ON THE QUESTION OF GRANTING ANY OF THE SAID CLASSES
9 OF LICENSES OR THE ESTABLISHMENT OF PENNSYLVANIA LIQUOR STORES
10 AND FILE THE PETITION WITH THE COUNTY BOARD OF ELECTIONS, THE
11 SAID COUNTY BOARD OF ELECTIONS SHALL CAUSE A QUESTION TO BE
12 PLACED ON THE BALLOTS OR ON THE VOTING MACHINE BOARD AND
13 SUBMITTED AT ANY ELECTION. SEPARATE PETITIONS MUST BE FILED FOR
14 EACH QUESTION TO BE VOTED ON. SAID PROCEEDINGS SHALL BE IN THE
15 MANNER AND SUBJECT TO THE PROVISIONS OF THE ELECTION LAWS WHICH
16 RELATE TO THE SIGNING, FILING AND ADJUDICATION OF NOMINATION
17 PETITIONS, INsofar AS SUCH PROVISIONS ARE APPLICABLE.

18 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF LIQUOR
19 LICENSES, IT SHALL BE IN THE FOLLOWING FORM:

20 DO YOU FAVOR THE GRANTING OF LIQUOR LICENSES FOR THE
21 SALE OF LIQUOR IN..... YES
22 OF.....? NO

23 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF LIQUOR
24 LICENSES TO RESORT FACILITIES IN THOSE MUNICIPALITIES THAT DO
25 NOT ALREADY ALLOW THE RETAIL SALE OF LIQUOR, IT SHALL BE IN THE
26 FOLLOWING FORM:

27 DO YOU FAVOR THE GRANTING OF LIQUOR LICENSES TO RESORT
28 FACILITIES FOR THE SALE OF LIQUOR IN THE..... YES
29 OF.....? NO

30 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF LIQUOR

1 LICENSES TO SKI RESORTS IN THOSE MUNICIPALITIES THAT DO NOT
2 ALREADY ALLOW THE RETAIL SALE OF LIQUOR, IT SHALL BE IN THE
3 FOLLOWING FORM:

4 DO YOU FAVOR THE GRANTING OF LIQUOR LICENSES TO SKI
5 RESORT FACILITIES FOR THE SALE OF LIQUOR IN THE YES
6OF? NO

7 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF RESTAURANT
8 LIQUOR LICENSES FOR USE AT PUBLIC VENUES IN THOSE MUNICIPALITIES
9 THAT DO NOT ALREADY ALLOW THE RETAIL SALE OF LIQUOR, IT SHALL BE
10 IN THE FOLLOWING FORM:

11 DO YOU FAVOR THE GRANTING OF LIQUOR LICENSES TO PUBLIC
12 VENUES FOR THE SALE OF LIQUOR IN THE..... YES
13 OF.....? NO

14 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF RESTAURANT
15 LIQUOR LICENSES FOR USE AT PERFORMING ARTS FACILITIES IN THOSE
16 MUNICIPALITIES THAT DO NOT ALREADY ALLOW THE RETAIL SALE OF
17 ALCOHOL, IT SHALL BE IN THE FOLLOWING FORM:

18 DO YOU FAVOR THE GRANTING OF LIQUOR LICENSES TO
19 PERFORMING ARTS FACILITIES FOR THE SALE OF LIQUOR IN
20 THE..... YES
21 OF.....? NO

22 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF LIQUOR
23 LICENSES FOR HOTELS LOCATED ON PROPERTY OWNED BY AN ACCREDITED
24 COLLEGE OR UNIVERSITY IN THOSE MUNICIPALITIES THAT DO NOT
25 ALREADY ALLOW THE GRANTING OF LIQUOR LICENSES, IT SHALL BE IN
26 THE FOLLOWING FORM:

27 DO YOU FAVOR THE GRANTING OF LIQUOR LICENSES TO HOTELS
28 ON PROPERTY OWNED BY AN ACCREDITED COLLEGE OR
29 UNIVERSITY IN THE..... YES
30 OF.....? NO

1 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF LIQUOR
2 LICENSES, FOR PRIVATELY-OWNED PRIVATE GOLF COURSES, IT SHALL BE
3 IN THE FOLLOWING FORM:

4 DO YOU FAVOR THE GRANTING OF LIQUOR LICENSES FOR
5 PRIVATELY-OWNED PRIVATE GOLF COURSES FOR THE SALE OF
6 LIQUOR IN.....BY..... YES
7 OF.....? NO

8 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF LIQUOR
9 LICENSES, FOR PRIVATELY-OWNED PUBLIC GOLF COURSES, IT SHALL BE
10 IN THE FOLLOWING FORM:

11 DO YOU FAVOR THE GRANTING OF LIQUOR LICENSES FOR
12 PRIVATELY-OWNED PUBLIC GOLF COURSES FOR THE SALE OF
13 LIQUOR IN.....BY..... YES
14 OF.....? NO

15 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF LIQUOR
16 LICENSES TO CONTINUING CARE RETIREMENT COMMUNITIES IN THOSE
17 MUNICIPALITIES THAT HAVE NOT ALREADY APPROVED THE GRANTING OF
18 LIQUOR LICENSES, IT SHALL BE IN THE FOLLOWING FORM:

19 DO YOU FAVOR THE GRANTING OF LIQUOR LICENSES FOR
20 CONTINUING CARE RETIREMENT COMMUNITIES
21 IN.....BY..... YES
22 OF.....? NO

23 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF LICENSES
24 TO RETAIL DISPENSERS OF MALT AND BREWED BEVERAGES, IT SHALL BE
25 IN THE FOLLOWING FORM:

26 DO YOU FAVOR THE GRANTING OF MALT AND BREWED BEVERAGE
27 RETAIL DISPENSER LICENSES FOR CONSUMPTION ON PREMISES
28 WHERE SOLD IN THE..... YES
29 OF.....? NO

30 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF LICENSES

1 TO WHOLESALE DISTRIBUTORS OF MALT OR BREWED BEVERAGES AND
2 IMPORTING DISTRIBUTORS, IT SHALL BE IN THE FOLLOWING FORM:

3 DO YOU FAVOR THE GRANTING OF MALT AND BREWED BEVERAGE
4 WHOLESALE DISTRIBUTOR'S AND IMPORTING DISTRIBUTOR'S
5 LICENSES NOT FOR CONSUMPTION ON PREMISES WHERE SOLD IN
6 THE..... YES
7 OF.....? NO

8 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF CLUB
9 LIQUOR LICENSES TO INCORPORATED UNITS OF NATIONAL VETERANS'
10 ORGANIZATIONS, IT SHALL BE IN THE FOLLOWING FORM:

11 DO YOU FAVOR THE GRANTING OF CLUB LIQUOR LICENSES TO
12 INCORPORATED UNITS OF NATIONAL VETERANS' ORGANIZATIONS
13 IN THE..... YES
14 OF.....? NO

15 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF CLUB
16 RETAIL DISPENSER LICENSES TO INCORPORATED UNITS OF NATIONAL
17 VETERANS' ORGANIZATIONS, IT SHALL BE IN THE FOLLOWING FORM:

18 DO YOU FAVOR THE GRANTING OF CLUB RETAIL DISPENSER
19 LICENSES TO INCORPORATED UNITS OF NATIONAL VETERANS'
20 ORGANIZATIONS IN THE..... YES
21 OF.....? NO

22 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF SPECIAL
23 OCCASION PERMITS ALLOWING THE SALE OF LIQUOR BY QUALIFIED
24 ORGANIZATIONS IN MUNICIPALITIES THAT DO NOT ALREADY ALLOW THE
25 RETAIL SALE OF LIQUOR, IT SHALL BE IN THE FOLLOWING FORM:

26 DO YOU FAVOR THE GRANTING OF SPECIAL OCCASION PERMITS
27 TO ALLOW THE SALE OF LIQUOR BY QUALIFIED ORGANIZATIONS
28 IN THE..... YES
29 OF.....? NO

30 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF SPECIAL

1 OCCASION PERMITS ALLOWING THE SALE OF MALT OR BREWED BEVERAGES
2 ONLY BY QUALIFIED ORGANIZATIONS IN MUNICIPALITIES THAT DO NOT
3 ALREADY ALLOW THE RETAIL SALE OF MALT OR BREWED BEVERAGES, IT
4 SHALL BE IN THE FOLLOWING FORM:

5 DO YOU FAVOR THE GRANTING OF SPECIAL OCCASION PERMITS
6 TO ALLOW THE SALE OF MALT OR BREWED BEVERAGES ONLY BY
7 QUALIFIED ORGANIZATIONS IN THE..... YES
8 OF.....? NO

9 WHEN THE QUESTION IS IN RESPECT TO THE ESTABLISHMENT,
10 OPERATION AND MAINTENANCE OF PENNSYLVANIA LIQUOR STORES IT SHALL
11 BE IN THE FOLLOWING FORM:

12 DO YOU FAVOR THE ESTABLISHMENT, OPERATION AND
13 MAINTENANCE OF PENNSYLVANIA LIQUOR STORES IN
14 THE..... YES
15 OF.....? NO

16 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF LIQUOR
17 LICENSES TO AN AIRPORT AUTHORITY IN THOSE MUNICIPALITIES THAT DO
18 NOT ALREADY ALLOW THE RETAIL SALE OF LIQUOR, IT SHALL BE IN THE
19 FOLLOWING FORM:

20 DO YOU FAVOR THE GRANTING OF LIQUOR LICENSES TO AN
21 AIRPORT AUTHORITY FOR THE SALE OF LIQUOR IN
22 THE..... YES
23 OF.....? NO

24 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF BREWERY
25 LICENSES, IT SHALL BE IN THE FOLLOWING FORM:

26 DO YOU FAVOR THE GRANTING OF BREWERY LICENSES FOR THE
27 SALE OF MALT OR BREWED BEVERAGES BY THE CASE, BY THE
28 KEG AND BY THE GLASS FOR CONSUMPTION ON PREMISES, PLUS
29 THE SALE OF WINE AND SPIRITS BY THE GLASS FOR
30 CONSUMPTION ON PREMISES,

1 IN..... YES

2 BY.....? NO

3 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF BREWERY
4 STORAGE LICENSES, IT SHALL BE IN THE FOLLOWING FORM:

5 DO YOU FAVOR THE GRANTING OF BREWERY STORAGE LICENSES
6 FOR THE SALE OF MALT OR BREWED BEVERAGES BY THE CASE, BY
7 THE KEG AND BY THE GLASS FOR CONSUMPTION ON PREMISES,
8 PLUS THE SALE OF WINE AND SPIRITS BY THE GLASS FOR
9 CONSUMPTION ON PREMISES, IN..... YES

10 BY.....? NO

11 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF LIMITED
12 DISTILLERY LICENSES, IT SHALL BE IN THE FOLLOWING FORM:

13 DO YOU FAVOR THE GRANTING OF LIMITED DISTILLERY LICENSES
14 FOR THE SALE OF SPIRITS BY THE BOTTLE TO GO AND BY THE
15 GLASS FOR CONSUMPTION ON PREMISES, PLUS THE SALE OF WINE
16 AND MALT OR BREWED BEVERAGES FOR CONSUMPTION ON
17 PREMISES, IN..... YES

18 BY.....? NO

19 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF ADDITIONAL
20 LICENSES FOR BOARD-APPROVED LIMITED DISTILLERY LOCATIONS, IT
21 SHALL BE IN THE FOLLOWING FORM:

22 DO YOU FAVOR THE GRANTING OF ADDITIONAL LICENSES FOR
23 BOARD-APPROVED LIMITED DISTILLERY LOCATIONS FOR THE SALE
24 OF SPIRITS BY THE BOTTLE TO GO AND BY THE GLASS FOR
25 CONSUMPTION ON PREMISES, PLUS THE SALE OF WINE AND MALT
26 OR BREWED BEVERAGES FOR CONSUMPTION ON PREMISES,
27 IN..... YES

28 BY.....? NO

29 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF LIMITED
30 WINERY LICENSES, IT SHALL BE IN THE FOLLOWING FORM:

1 DO YOU FAVOR THE GRANTING OF LIMITED WINERY LICENSES FOR
2 THE SALE OF WINE BY THE BOTTLE TO GO AND BY THE GLASS
3 FOR CONSUMPTION ON PREMISES, PLUS THE SALE OF SPIRITS
4 AND MALT OR BREWED BEVERAGES FOR CONSUMPTION ON
5 PREMISES,
6 IN..... YES
7 BY.....? NO

8 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF ADDITIONAL
9 LICENSES FOR BOARD-APPROVED LIMITED WINERY LOCATIONS, IT SHALL
10 BE IN THE FOLLOWING FORM:

11 DO YOU FAVOR THE GRANTING OF ADDITIONAL LICENSES FOR
12 BOARD-APPROVED LIMITED WINERY LOCATIONS FOR THE SALE OF
13 WINE BY THE BOTTLE TO GO AND BY THE GLASS FOR
14 CONSUMPTION ON PREMISES, PLUS THE SALE OF SPIRITS AND
15 MALT OR BREWED BEVERAGES FOR CONSUMPTION ON PREMISES,
16 IN..... YES
17 BY.....? NO

18 IN CASE OF A TIE VOTE, THE STATUS QUO SHALL OBTAIN. IF A
19 MAJORITY OF THE VOTING ELECTORS ON ANY SUCH QUESTION VOTE "YES,"
20 THEN LIQUOR LICENSES SHALL BE GRANTED BY THE BOARD TO HOTELS,
21 RESTAURANTS, SKI RESORTS, RESORT FACILITIES AND CLUBS, OR LIQUOR
22 LICENSES SHALL BE GRANTED BY THE BOARD TO PUBLIC VENUES, TO
23 PERFORMING ARTS FACILITIES, TO CONTINUING CARE RETIREMENT
24 COMMUNITIES, TO HOTELS LOCATED ON PROPERTY OWNED BY AN
25 ACCREDITED COLLEGE OR UNIVERSITY, TO PRIVATELY-OWNED PRIVATE
26 GOLF COURSES OR TO PRIVATELY-OWNED PUBLIC GOLF COURSES, OR MALT
27 AND BREWED BEVERAGE RETAIL DISPENSER LICENSES OR WHOLESALE
28 DISTRIBUTOR'S AND IMPORTING DISTRIBUTOR'S LICENSE FOR THE SALE
29 OF MALT OR BREWED BEVERAGES SHALL BE GRANTED BY THE BOARD, OR
30 CLUB LIQUOR LICENSES OR CLUB RETAIL DISPENSER LICENSES SHALL BE

1 GRANTED BY THE BOARD TO INCORPORATED UNITS OF NATIONAL VETERANS '
2 ORGANIZATIONS, OR SPECIAL OCCASION PERMITS MAY BE ISSUED TO
3 QUALIFIED ORGANIZATIONS, OR THE BOARD MAY ESTABLISH, OPERATE AND
4 MAINTAIN PENNSYLVANIA LIQUOR STORES, AS THE CASE MAY BE, IN SUCH
5 MUNICIPALITY OR PART OF A SPLIT MUNICIPALITY, AS PROVIDED BY
6 THIS ACT; BUT IF A MAJORITY OF THE ELECTORS VOTING ON ANY SUCH
7 QUESTION VOTE "NO," THEN THE BOARD SHALL HAVE NO POWER TO GRANT
8 OR TO RENEW UPON THEIR EXPIRATION ANY LICENSES OF THE CLASS SO
9 VOTED UPON IN SUCH MUNICIPALITY OR PART OF A SPLIT MUNICIPALITY;
10 OR IF THE NEGATIVE VOTE IS ON THE QUESTION IN RESPECT TO THE
11 ESTABLISHMENT, OPERATION AND MAINTENANCE OF PENNSYLVANIA LIQUOR
12 STORES, THE BOARD SHALL NOT OPEN AND OPERATE A PENNSYLVANIA
13 LIQUOR STORE IN SUCH MUNICIPALITY OR PART OF A SPLIT
14 MUNICIPALITY, NOR CONTINUE TO OPERATE A THEN EXISTING
15 PENNSYLVANIA LIQUOR STORE IN THE MUNICIPALITY OR PART OF A SPLIT
16 MUNICIPALITY FOR MORE THAN TWO YEARS THEREAFTER OR AFTER THE
17 EXPIRATION OF THE TERM OF THE LEASE ON THE PREMISES OCCUPIED BY
18 SUCH STORE, WHICHEVER PERIOD IS LESS, UNLESS AND UNTIL AT A
19 LATER ELECTION A MAJORITY OF THE VOTING ELECTORS VOTE "YES" ON
20 SUCH QUESTION.

21 * * *

22 Section 3 4. This act shall take effect immediately.

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