

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE BILL

No. 51

Session of  
1995

INTRODUCED BY TIGUE, CAWLEY, GEORGE, PESCI, LAUGHLIN, MELIO,  
JAROLIN, McCALL, BELARDI, ROBERTS, SANTONI, TRELLO, PISTELLA,  
COLAFELLA, BUNT, MICHLOVIC, STABACK, WOZNIAK, YOUNGBLOOD,  
CARONE, L. I. COHEN, ROONEY, COLAIZZO, MERRY, BELFANTI,  
HORSEY, DALEY AND KELLER, FEBRUARY 7, 1995

REFERRED TO COMMITTEE ON LIQUOR CONTROL, FEBRUARY 7, 1995

AN ACT

1 Amending the act of April 12, 1951 (P.L.90, No.21), entitled, as  
2 reenacted, "An act relating to alcoholic liquors, alcohol and  
3 malt and brewed beverages; amending, revising, consolidating  
4 and 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,"  
17 providing for a provisional Sunday sales permit.

18 The General Assembly of the Commonwealth of Pennsylvania  
19 hereby enacts as follows:

20 Section 1. The act of April 12, 1951 (P.L.90, No.21), known  
21 as the Liquor Code, reenacted and amended June 29, 1987 (P.L.32,  
22 No.14), is amended by adding a section to read:

23 Section 432.1. Provisional Sunday Sales Permit.--(a)

24 Notwithstanding any other provision of this act, a licensee who

1 has held a license for at least ninety days may make a single  
2 application to the board for a provisional Sunday sales permit.  
3 The fee for a provisional Sunday sales permit shall be three  
4 hundred dollars (\$300).

5 (b) A provisional Sunday sales permit shall be valid for a  
6 period of one hundred twenty days from the date of issuance  
7 exclusive of any period of safekeeping. After ninety days from  
8 the date of issuance, the licensee has the right to file an  
9 application for a Sunday sales permit under regulations of the  
10 board. The licensee shall be required to pay an additional full  
11 fee in order to renew the provisional Sunday sales permit when  
12 the one hundred twenty-day period extends into a new license  
13 year. If the licensee qualifies for a Sunday sales permit, the  
14 provisional Sunday sales permit fee submitted for the license  
15 year in question shall be applied in full. If the licensee fails  
16 to qualify for a Sunday sales permit, the fee submitted with the  
17 application for a provisional Sunday sales permit shall be  
18 forfeited.

19 Section 2. Any regulation of the Pennsylvania Liquor Control  
20 Board that is inconsistent with this act shall be abrogated.

21 Section 3. This act shall take effect in 60 days.