

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1754 Session of
1993

INTRODUCED BY BELFANTI, GORDNER, ALLEN, PHILLIPS, ROBERTS,
KUKOVICH, PESCI, BUNT, ROONEY, RAYMOND, McCALL, VAN HORNE,
ROBINSON, VEON, SEMMEL, STABACK, LEVDANSKY, LUCYK, LAUGHLIN,
DALEY AND PETRARCA, JUNE 9, 1993

REFERRED TO COMMITTEE ON LIQUOR CONTROL, JUNE 9, 1993

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 an exception to the quota system for licenses
18 issued to volunteer fire companies.

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

21 Section 1. Section 461(a) of the act of April 12, 1951
22 (P.L.90, No.21), known as the Liquor Code, reenacted and amended
23 June 29, 1987 (P.L.32, No.14) and amended December 7, 1990
24 (P.L.622, No.160), is amended to read:

25 Section 461. Limiting Number of Retail Licenses To Be Issued

1 In Each Municipality.--(a) No licenses shall hereafter be
2 granted by the board for the retail sale of malt or brewed
3 beverages or the retail sale of liquor and malt or brewed
4 beverages in excess of one of such licenses of any class for
5 each three thousand inhabitants in any municipality, exclusive
6 of licenses granted to airport restaurants, municipal golf
7 courses, hotels, privately-owned public golf courses, as defined
8 in this section, and volunteer fire companies and clubs; but at
9 least one such license may be granted in each municipality and
10 in each part of a municipality where such municipality is split
11 so that each part thereof is separated by another municipality,
12 except in municipalities where the electors have voted against
13 the granting of any retail licenses and except in that part of a
14 split municipality where the electors have voted against the
15 granting of any retail licenses. Nothing contained in this
16 section shall be construed as denying the right to the board to
17 renew or to transfer existing retail licenses of any class
18 notwithstanding that the number of such licensed places in a
19 municipality shall exceed the limitation hereinbefore
20 prescribed; but where such number exceeds the limitation
21 prescribed by this section, no new license, except for hotels,
22 municipal golf courses, airport restaurants, privately-owned
23 public golf courses and privately-owned private golf course
24 licensees, as defined in this section, and volunteer fire
25 companies shall be granted so long as said limitation is
26 exceeded.

27 * * *

28 Section 2. This act shall take effect immediately.