

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1312 Session of
2007

INTRODUCED BY GERGELY, CAPPELLI, DALEY, FABRIZIO, FRANKEL,
FREEMAN, GIBBONS, GODSHALL, KOTIK, KULA, MAHONEY, PRESTON,
SAYLOR, STURLA, J. WHITE, YOUNGBLOOD AND SCHRODER,
MAY 18, 2007

REFERRED TO COMMITTEE ON LIQUOR CONTROL, MAY 18, 2007

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 further providing for limited number of retail licenses to be
18 issued in each county.

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

21 Section 1. Section 461(c)(9) 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 February 21, 2006
24 (P.L.42, No.15), is amended to read:

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

1 In Each County.--* * *

2 (c) The word "hotel" as used in this section shall mean any
3 reputable place operated by a responsible person of good
4 reputation where the public may, for a consideration, obtain
5 sleeping accommodations, and which shall have the following
6 number of bedrooms and requirements in each case--at least one-
7 half of the required number of bedrooms shall be regularly
8 available to transient guests seven days weekly, except in
9 resort areas; at least one-third of such bedrooms shall be
10 equipped with hot and cold water, a lavatory, commode, bathtub
11 or shower and a clothes closet; and an additional one-third of
12 the total of such required rooms shall be equipped with lavatory
13 and commode:

14 * * *

15 (9) Upon application to and subject to inspection by the
16 board, hotel licensees under clause (8) of this subsection shall
17 no longer be required to maintain bedrooms for public
18 accommodation. [However, areas required and designated as
19 bedrooms for public accommodation prior to the effective date of
20 this clause may not subsequently be used as licensed serving
21 area.] Such area may be used as licensed storage area or serving
22 area consistent with this act and existing regulations.

23 * * *

24 Section 2. This act shall take effect in 60 days.