

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 759 Session of 2009

INTRODUCED BY PETRI, BARRAR, BELFANTI, BEYER, CALTAGIRONE,
FREEMAN, GEORGE, GODSHALL, GOODMAN, GRELL, HENNESSEY, KORTZ,
LONGIETTI, MANDERINO, MELIO, MILLARD, MILLER, O'NEILL, PAYNE,
PICKETT, PYLE, K. SMITH, SOLOBAY AND YOUNGBLOOD,
MARCH 6, 2009

REFERRED TO COMMITTEE ON LIQUOR CONTROL, MARCH 6, 2009

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 authorizing certain bed and breakfast homesteads or inns to
18 provide wine to its paying guests.

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

21 Section 1. Section 406(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), is amended by adding a paragraph
24 to read:

1 Section 406. Sales by Liquor Licensees; Restrictions.--(a)

2 * * *

3 (7) (i) Notwithstanding any provision of this act to the
4 contrary, the act of any bed and breakfast homestead or inn
5 providing wine to its paying guests while in an overnight status
6 shall not be construed as the direct or indirect sale of
7 alcohol.

8 (ii) For purposes of this section, a "bed and breakfast
9 homestead or inn" shall mean a private residence which contains
10 ten or fewer bedrooms used for providing overnight
11 accommodations to the public and in which breakfast is the only
12 meal served and is included in the charge for the room.

13 * * *

14 Section 2. This act shall take effect immediately.