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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 1975

Session of  
1981

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INTRODUCED BY MARMION, FLECK, HEISER, WESTON, RASCO AND CESSAR,  
OCTOBER 19, 1981

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REFERRED TO COMMITTEE ON LIQUOR CONTROL, OCTOBER 19, 1981

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AN ACT

1 Authorizing certain municipalities to regulate certain  
2 establishments which permit liquor to be consumed on the  
3 premises.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Legislative intent.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby finds that many places of business permit patrons to  
9 bring their own liquor onto the business premises and consume  
10 the liquor. These places of business are not licensed or  
11 regulated by the Pennsylvania Liquor Control Board. To place  
12 these establishments under the supervision of the Pennsylvania  
13 Liquor Control Board would increase an already overburdened  
14 agency's workload. The General Assembly believes it would be in  
15 the best interest of the people of this Commonwealth for the  
16 supervision of these so called "bottle clubs" to be under local  
17 municipal control.

18 Section 2. Definitions.

1 "Bottle club." A place of assembly owned, maintained or  
2 leased by a person for profit in which no liquors are sold but  
3 where patrons are permitted to bring liquor upon the premises  
4 for their own use and consumption.

5 "Liquor." Includes any alcoholic, spirituous, vinous,  
6 fermented or other alcoholic beverage, or combination of liquors  
7 and mixed liquor a part of which is spirituous, vinous,  
8 fermented or otherwise alcoholic, including all drinks or  
9 drinkable liquids, preparations or mixtures, and reused,  
10 recovered or redistilled denatured alcohol usable or taxable for  
11 beverage purposes which contain more than one-half of one  
12 percent of alcohol by volume, except pure ethyl alcohol and malt  
13 or brewed beverages.

14 "Municipality." Any city, town, township, borough and any  
15 home rule municipality. The term "municipality" shall not  
16 include counties, home rule or otherwise.

17 "Person." Any individual, corporation, partnership,  
18 association, company or any other entity, excluding any  
19 political subdivision.

## 20 Section 3. Areas of regulation.

21 (a) Any municipality may adopt an ordinance pertaining to  
22 the regulation of bottle clubs.

23 (b) If a municipality does enact an ordinance regulating  
24 bottle clubs it may only regulate the operation of bottle clubs  
25 in the following areas:

26 (1) hours of operation;

27 (2) quantities of liquor which may be brought onto the  
28 premises;

29 (3) the amount of liquor which may be consumed by each  
30 person or patron; and

1           (4) requirement that food be served and available for  
2     purchase.

3     Section 4. Fees.

4         If a municipality adopts an ordinance regulating bottle clubs  
5     it may include a licensing requirement for which it may charge a  
6     fee which shall be reasonably related to the cost of regulation.

7     Section 5. Effective date.

8         This act shall take effect immediately.