

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2030 Session of
2003

INTRODUCED BY JAMES, WILLIAMS, CASORIO, WATERS, MANDERINO,
BEBKO-JONES, LEDERER, WHEATLEY, J. TAYLOR, PALLONE, HARPER,
WASHINGTON, HENNESSEY, JOSEPHS, KELLER, DALEY, YOUNGBLOOD AND
KIRKLAND, SEPTEMBER 29, 2003

REFERRED TO COMMITTEE ON LIQUOR CONTROL, SEPTEMBER 29, 2003

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 certain hearings.

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 479. Hearings Upon Applications for Licenses,
24 Permits, Renewals or Transfers.--The board may of its own motion

1 and shall, upon the receipt of a resolution from the governing
2 body of any political subdivision within which is located any
3 premises or proposed premises that is the subject of an
4 application for any club, hotel or restaurant liquor license, or
5 any malt or brewed beverage license, or any amusement permit, or
6 for renewal or transfer thereof, fix a time and place for a
7 public hearing on such application for license or amusement
8 permit or renewal or transfer thereof, notice of which hearing
9 shall be mailed to the applicant at the address given in his
10 application and to the governing body of the political
11 subdivision. Such hearing shall be before a hearing examiner
12 designated by the board. At such hearing, any resident of the
13 county within which the premises are or are proposed to be
14 located may present testimony in favor of or in opposition to
15 the application. The applicant may appear in person or by
16 counsel, may cross-examine the witnesses and may present
17 evidence, which shall likewise be subject to cross-examination
18 by the board. Such hearing shall be stenographically recorded.
19 The hearing examiner shall thereafter report, with the
20 examiner's recommendation, to the board in each case. The board
21 shall thereupon grant or refuse the license or amusement permit
22 or the renewal or transfer thereof in accordance with this act.

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