

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 479 Session of 2009

INTRODUCED BY HANNA, BRENNAN, BROWN, CALTAGIRONE, CREIGHTON,
DENLINGER, MAHONEY AND READSHAW, FEBRUARY 18, 2009

REFERRED TO COMMITTEE ON LIQUOR CONTROL, FEBRUARY 18, 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 further providing for prohibitions against the grant of
18 licenses.

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

21 Section 1. Section 437(f) of the act of April 12, 1951 (P.L.
22 90, No.21), known as the Liquor Code, reenacted and amended June
23 29, 1987 (P.L.32, No.14) and amended December 7, 1990 (P.L.622,
24 No.160), is amended to read:

25 Section 437. Prohibitions Against the Grant of Licenses.--*

26 * *

1 (f) (1) No new distributor's or importing distributor's
2 license shall hereafter be granted by the board in any county of
3 the Commonwealth where the combined number of distributor and
4 importing distributor licenses exceeds one license for each
5 thirty thousand inhabitants of the county in which the license
6 is to be issued: Provided, That a combined total of [five] four
7 such licenses may be granted in any county of the Commonwealth.

8 (2) Nothing in this subsection shall be construed as denying
9 the right of the board to renew or to transfer existing
10 distributors' or importing distributors' licenses or to exchange
11 a distributor's license for an importing distributor's license
12 or to exchange an importing distributor's license for a
13 distributor's license, upon adjustment of the applicable fee,
14 notwithstanding that the number of such licensed places in the
15 county shall exceed the limitation hereinbefore prescribed:

16 Provided, That no distributor's license or importing
17 distributor's license shall be transferred from one county to
18 another county so long as the quota is filled in the county to
19 which the license is proposed to be transferred.

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