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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2090 Session of  
2019

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INTRODUCED BY WHEELAND, ROTHMAN, BERNSTINE AND STAATS,  
NOVEMBER 22, 2019

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REFERRED TO COMMITTEE ON LIQUOR CONTROL, NOVEMBER 22, 2019

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AN ACT

1 Amending the act of April 12, 1951 (P.L.90, No.21), entitled "An  
2 act relating to alcoholic liquors, alcohol and malt and  
3 brewed beverages; amending, revising, consolidating and  
4 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," in  
17 licenses and regulations and liquor, alcohol and malt and  
18 brewed beverages, further providing for malt and brewed  
19 beverages manufacturers', distributors' and importing  
20 distributors' licenses.

21 The General Assembly of the Commonwealth of Pennsylvania  
22 hereby enacts as follows:

23 Section 1. Section 431 of the act of April 12, 1951 (P.L.90,  
24 No.21), known as the Liquor Code, is amended by adding a  
25 subsection to read:

26 Section 431. Malt and Brewed Beverages Manufacturers',  
27 Distributors' and Importing Distributors' Licenses.--\* \* \*

1 (h) For two years after the effective date of this  
2 subsection, upon application to the board and payment of a fee  
3 of thirty thousand dollars (\$30,000) by a holder of a  
4 distributor license, the board shall convert a distributor  
5 license under this section to a restaurant license without  
6 regard to the quota restrictions set forth in section 461. This  
7 subsection shall not apply to a distributor license with a  
8 pending objection by the Director of the Bureau of Licensing or  
9 the board under section 470(a.1) until the application for  
10 renewal of the distributor license is approved. This subsection  
11 shall not apply to distributor licenses in a city of the first  
12 class. An application to transfer a restaurant license that was  
13 converted from a distributor license under this subsection in  
14 accordance with section 404 within five years after the board  
15 received the application for the restaurant license shall be  
16 subject to a fee of thirty per centum (30%) or thirty thousand  
17 dollars (\$30,000), whichever is greater, of the transactional  
18 cost for the transfer of the restaurant license. A restaurant  
19 license that was converted from a distributor license under this  
20 subsection shall be eligible for transfer to a location in  
21 another county, except that a restaurant license shall not  
22 eligible for transfer to a location in a county of the first  
23 class.

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