

AMENDMENTS TO HOUSE BILL NO. 1196

Sponsor: REPRESENTATIVE SANTARSIERO

Printer's No. 1726

1 Amend Bill, page 1, line 20, by inserting after "licenses"
2 and for local option

3 Amend Bill, page 2, by inserting between lines 23 and 24

4 Section 2. Section 472(a) of the act, amended February 21,
5 2002 (P.L.103, No.10), is amended to read:

6 Section 472. Local Option.--(a) In any municipality or any
7 part of a municipality where such municipality is split so that
8 each part thereof is separated by another municipality, an
9 election may be held, subject to subsection (c), [on the date of
10 the primary election immediately preceding any municipal
11 election, but] not oftener than once in four years, to determine
12 the will of the electors with respect to the granting of liquor
13 licenses to hotels, restaurants, resort facilities and clubs,
14 not oftener than once in four years, to determine the will of
15 the electors with respect to the granting of liquor licenses to
16 public venues, to performing arts facilities, to continuing care
17 retirement communities, to hotels located on property owned by
18 an accredited college or university, to privately-owned private
19 golf courses or to privately-owned public golf courses, not
20 oftener than once in four years, to determine the will of the
21 electors with respect to the granting of licenses to retail
22 dispensers of malt and brewed beverages, not oftener than once
23 in four years, to determine the will of the electors with
24 respect to granting of licenses to wholesale distributors and
25 importing distributors, not more than once in two years, to
26 determine the will of the electors with respect to the granting
27 of club liquor licenses or club retail dispenser licenses to
28 incorporated units of national veterans' organizations, not
29 oftener than once in two years to determine the will of the
30 electors with respect to the granting of special occasion
31 permits to qualified organizations, or not more than once in
32 four years, to determine the will of the electors with respect
33 to the establishment, operation and maintenance by the board of
34 Pennsylvania liquor stores, within the limits of such
35 municipality or part of a split municipality, under the
36 provisions of this act: Provided, [however, Where an election
37 shall have been held at the primary preceding a municipal

1 election in any year, another election may be held under the
 2 provisions of this act at the primary occurring the fourth year
 3 after such prior election: And provided further,] That an
 4 election on the question of establishing and operating a State
 5 liquor store shall be initiated only in those municipalities, or
 6 that part of a split municipality that shall have voted against
 7 the granting of liquor licenses; and that an election on the
 8 question of granting wholesale distributor and importing
 9 distributor licenses shall be initiated only in those
 10 municipalities or parts of split municipalities that shall have
 11 at a previous election voted against the granting of dispenser's
 12 licenses. Whenever electors equal to at least twenty-five per
 13 centum of the highest vote cast for any office in the
 14 municipality or part of a split municipality at the last
 15 preceding general election shall file a petition with the county
 16 board of elections of the county for a referendum on the
 17 question of granting any of said classes of licenses or the
 18 establishment of Pennsylvania liquor stores, the said county
 19 board of elections shall cause a question to be placed on the
 20 ballots or on the voting machine board and submitted at [the
 21 primary immediately preceding the municipal] any election.
 22 Separate petitions must be filed for each question to be voted
 23 on. Said proceedings shall be in the manner and subject to the
 24 provisions of the election laws which relate to the signing,
 25 filing and adjudication of nomination petitions, insofar as such
 26 provisions are applicable.

27 When the question is in respect to the granting of liquor
 28 licenses, it shall be in the following form:

29 Do you favor the granting of liquor licenses for the
 30 sale of liquor in..... Yes
 31 of.....? No

32 When the question is in respect to the granting of liquor
 33 licenses to resort facilities in those municipalities that do
 34 not already allow the retail sale of liquor, it shall be in the
 35 following form:

36 Do you favor the granting of liquor licenses to resort
 37 facilities for the sale of liquor in the..... Yes
 38 of.....? No

39 When the question is in respect to the granting of restaurant
 40 liquor licenses for use at public venues in those municipalities
 41 that do not already allow the retail sale of liquor, it shall be
 42 in the following form:

43 Do you favor the granting of liquor licenses to public
 44 venues for the sale of liquor in the..... Yes
 45 of.....? No

46 When the question is in respect to the granting of restaurant
 47 liquor licenses for use at performing arts facilities in those
 48 municipalities that do not already allow the retail sale of
 49 alcohol, it shall be in the following form:

50 Do you favor the granting of liquor licenses to
 51 performing arts facilities for the sale of liquor in

1 the..... Yes
2 of.....? No
3 When the question is in respect to the granting of liquor
4 licenses for hotels located on property owned by an accredited
5 college or university in those municipalities that do not
6 already allow the granting of liquor licenses, it shall be in
7 the following form:
8 Do you favor the granting of liquor licenses to hotels
9 on property owned by an accredited college or university
10 in the..... Yes
11 of.....? No
12 When the question is in respect to the granting of liquor
13 licenses, for privately-owned private golf courses, it shall be
14 in the following form:
15 Do you favor the granting of liquor licenses for
16 privately-owned private golf courses for the sale of
17 liquor in.....by..... Yes
18 of.....? No
19 When the question is in respect to the granting of liquor
20 licenses, for privately-owned public golf courses, it shall be
21 in the following form:
22 Do you favor the granting of liquor licenses for
23 privately-owned public golf courses for the sale of
24 liquor in.....by..... Yes
25 of.....? No
26 When the question is in respect to the granting of liquor
27 licenses to continuing care retirement communities in those
28 municipalities that have not already approved the granting of
29 liquor licenses, it shall be in the following form:
30 Do you favor the granting of liquor licenses for
31 continuing care retirement communities
32 in.....by..... Yes
33 of.....? No
34 When the question is in respect to the granting of licenses
35 to retail dispensers of malt and brewed beverages, it shall be
36 in the following form:
37 Do you favor the granting of malt and brewed beverage
38 retail dispenser licenses for consumption on premises
39 where sold in the..... Yes
40 of.....? No
41 When the question is in respect to the granting of licenses
42 to wholesale distributors of malt or brewed beverages and
43 importing distributors, it shall be in the following form:
44 Do you favor the granting of malt and brewed beverage
45 wholesale distributor's and importing distributor's
46 licenses not for consumption on premises where sold in
47 the..... Yes
48 of.....? No
49 When the question is in respect to the granting of club
50 liquor licenses to incorporated units of national veterans'
51 organizations, it shall be in the following form:

1 Do you favor the granting of club liquor licenses to
2 incorporated units of national veterans' organizations
3 in the..... Yes
4 of.....? No

5 When the question is in respect to the granting of club
6 retail dispenser licenses to incorporated units of national
7 veterans' organizations, it shall be in the following form:
8 Do you favor the granting of club retail dispenser
9 licenses to incorporated units of national veterans'
10 organizations in the..... Yes
11 of.....? No

12 When the question is in respect to the granting of special
13 occasion permits allowing the sale of liquor by qualified
14 organizations in municipalities that do not already allow the
15 retail sale of liquor, it shall be in the following form:
16 Do you favor the granting of special occasion permits to
17 allow the sale of liquor by qualified organizations in
18 the..... Yes
19 of.....? No

20 When the question is in respect to the granting of special
21 occasion permits allowing the sale of malt or brewed beverages
22 only by qualified organizations in municipalities that do not
23 already allow the retail sale of malt or brewed beverages, it
24 shall be in the following form:
25 Do you favor the granting of special occasion permits to
26 allow the sale of malt or brewed beverages only by
27 qualified organizations in the..... Yes
28 of.....? No

29 When the question is in respect to the establishment,
30 operation and maintenance of Pennsylvania liquor stores it shall
31 be in the following form:
32 Do you favor the establishment, operation and
33 maintenance of Pennsylvania liquor stores in
34 the..... Yes
35 of.....? No

36 In case of a tie vote, the status quo shall obtain. If a
37 majority of the voting electors on any such question vote "yes,"
38 then liquor licenses shall be granted by the board to hotels,
39 restaurants, resort facilities and clubs, or liquor licenses
40 shall be granted by the board to public venues, to performing
41 arts facilities, to continuing care retirement communities, to
42 hotels located on property owned by an accredited college or
43 university, to privately-owned private golf courses or to
44 privately-owned public golf courses, or malt and brewed beverage
45 retail dispenser licenses or wholesale distributor's and
46 importing distributor's license for the sale of malt or brewed
47 beverages shall be granted by the board, or club liquor licenses
48 or club retail dispenser licenses shall be granted by the board
49 to incorporated units of national veterans' organizations, or
50 special occasion permits may be issued to qualified
51 organizations, or the board may establish, operate and maintain

1 Pennsylvania liquor stores, as the case may be, in such
2 municipality or part of a split municipality, as provided by
3 this act; but if a majority of the electors voting on any such
4 question vote "no," then the board shall have no power to grant
5 or to renew upon their expiration any licenses of the class so
6 voted upon in such municipality or part of a split municipality;
7 or if the negative vote is on the question in respect to the
8 establishment, operation and maintenance of Pennsylvania liquor
9 stores, the board shall not open and operate a Pennsylvania
10 liquor store in such municipality or part of a split
11 municipality, nor continue to operate a then existing
12 Pennsylvania liquor store in the municipality or part of a split
13 municipality for more than two years thereafter or after the
14 expiration of the term of the lease on the premises occupied by
15 such store, whichever period is less, unless and until at a
16 later election a majority of the voting electors vote "yes" on
17 such question.

18 * * *

19 Amend Bill, page 2, line 24, by striking out "2" and
20 inserting

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