

AMENDMENTS TO HOUSE BILL NO. 327

Sponsor: REPRESENTATIVE WARREN

Printer's No. 3658

1 Amend Bill, page 1, line 22, by inserting after "EMERGENCY"
2 and reenacting provisions relating to local option

3 Amend Bill, page 12, by inserting between lines 22 and 23

4 Section 3. Section 472 of the act is reenacted to read:

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

1 liquor store shall be initiated only in those municipalities, or
 2 that part of a split municipality that shall have voted against
 3 the granting of liquor licenses; and that an election on the
 4 question of granting wholesale distributor and importing
 5 distributor licenses shall be initiated only in those
 6 municipalities or parts of split municipalities that shall have
 7 at a previous election voted against the granting of dispenser's
 8 licenses. Except for a municipality or part of a split
 9 municipality located in a county of the second class A, whenever
 10 electors equal to at least twenty-five per centum of the highest
 11 vote cast for any office in the municipality or part of a split
 12 municipality at the last preceding general election shall file a
 13 petition with the county board of elections of the county for a
 14 referendum on the question of granting any of said classes of
 15 licenses or the establishment of Pennsylvania liquor stores, the
 16 said county board of elections shall cause a question to be
 17 placed on the ballots or on the voting machine board and
 18 submitted at any election. In a county of the second class A,
 19 whenever electors equal to at least twenty-five per centum of
 20 the highest vote cast for any office in a municipality or part
 21 of a split municipality at the last preceding general election,
 22 or whenever five hundred electors of a municipality or part of a
 23 split municipality, whichever is less, sign a petition for a
 24 referendum on the question of granting any of the said classes
 25 of licenses or the establishment of Pennsylvania liquor stores
 26 and file the petition with the county board of elections, the
 27 said county board of elections shall cause a question to be
 28 placed on the ballots or on the voting machine board and
 29 submitted at any election. Separate petitions must be filed for
 30 each question to be voted on. Said proceedings shall be in the
 31 manner and subject to the provisions of the election laws which
 32 relate to the signing, filing and adjudication of nomination
 33 petitions, insofar as such provisions are applicable.

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

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

39 When the question is in respect to the granting of liquor
 40 licenses to resort facilities in those municipalities that do
 41 not already allow the retail sale of liquor, it shall be in the
 42 following form:

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

46 When the question is in respect to the granting of liquor
 47 licenses to ski resorts in those municipalities that do not
 48 already allow the retail sale of liquor, it shall be in the
 49 following form:

50 Do you favor the granting of liquor licenses to ski
 51 resort facilities for the sale of liquor in the Yes

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

1 retail dispenser licenses for consumption on premises
2 where sold in the..... Yes
3 of.....? No
4 When the question is in respect to the granting of licenses
5 to wholesale distributors of malt or brewed beverages and
6 importing distributors, it shall be in the following form:
7 Do you favor the granting of malt and brewed beverage
8 wholesale distributor's and importing distributor's
9 licenses not for consumption on premises where sold in
10 the..... Yes
11 of.....? No
12 When the question is in respect to the granting of club
13 liquor licenses to incorporated units of national veterans'
14 organizations, it shall be in the following form:
15 Do you favor the granting of club liquor licenses to
16 incorporated units of national veterans' organizations
17 in the..... Yes
18 of.....? No
19 When the question is in respect to the granting of club
20 retail dispenser licenses to incorporated units of national
21 veterans' organizations, it shall be in the following form:
22 Do you favor the granting of club retail dispenser
23 licenses to incorporated units of national veterans'
24 organizations in the..... Yes
25 of.....? No
26 When the question is in respect to the granting of special
27 occasion permits allowing the sale of liquor by qualified
28 organizations in municipalities that do not already allow the
29 retail sale of liquor, it shall be in the following form:
30 Do you favor the granting of special occasion permits to
31 allow the sale of liquor by qualified organizations in
32 the..... Yes
33 of.....? No
34 When the question is in respect to the granting of special
35 occasion permits allowing the sale of malt or brewed beverages
36 only by qualified organizations in municipalities that do not
37 already allow the retail sale of malt or brewed beverages, it
38 shall be in the following form:
39 Do you favor the granting of special occasion permits to
40 allow the sale of malt or brewed beverages only by
41 qualified organizations in the..... Yes
42 of.....? No
43 When the question is in respect to the establishment,
44 operation and maintenance of Pennsylvania liquor stores it shall
45 be in the following form:
46 Do you favor the establishment, operation and
47 maintenance of Pennsylvania liquor stores in
48 the..... Yes
49 of.....? No
50 When the question is in respect to the granting of liquor
51 licenses to an airport authority in those municipalities that do

1 not already allow the retail sale of liquor, it shall be in the
2 following form:

3 Do you favor the granting of liquor licenses to an
4 airport authority for the sale of liquor in
5 the..... Yes
6 of.....? No

7 When the question is in respect to the granting of brewery
8 licenses, it shall be in the following form:

9 Do you favor the granting of brewery licenses for the
10 sale of malt or brewed beverages by the case, by the keg
11 and by the glass for consumption on premises, plus the
12 sale of wine and spirits by the glass for consumption on
13 premises, in..... Yes
14 by.....? No

15 When the question is in respect to the granting of brewery
16 storage licenses, it shall be in the following form:

17 Do you favor the granting of brewery storage licenses
18 for the sale of malt or brewed beverages by the case, by
19 the keg and by the glass for consumption on premises,
20 plus the sale of wine and spirits by the glass for
21 consumption on premises, in..... Yes
22 by.....? No

23 When the question is in respect to the granting of limited
24 distillery licenses, it shall be in the following form:

25 Do you favor the granting of limited distillery licenses
26 for the sale of spirits by the bottle to go and by the
27 glass for consumption on premises, plus the sale of wine
28 and malt or brewed beverages for consumption on
29 premises, in..... Yes
30 by.....? No

31 When the question is in respect to the granting of additional
32 licenses for board-approved limited distillery locations, it
33 shall be in the following form:

34 Do you favor the granting of additional licenses for
35 board-approved limited distillery locations for the sale
36 of spirits by the bottle to go and by the glass for
37 consumption on premises, plus the sale of wine and malt
38 or brewed beverages for consumption on premises,
39 in..... Yes
40 by.....? No

41 When the question is in respect to the granting of limited
42 winery licenses, it shall be in the following form:

43 Do you favor the granting of limited winery licenses for
44 the sale of wine by the bottle to go and by the glass
45 for consumption on premises, plus the sale of spirits
46 and malt or brewed beverages for consumption on
47 premises,
48 in..... Yes
49 by.....? No

50 When the question is in respect to the granting of additional
51 licenses for board-approved limited winery locations, it shall

1 be in the following form:

2 Do you favor the granting of additional licenses for
3 board-approved limited winery locations for the sale of
4 wine by the bottle to go and by the glass for
5 consumption on premises, plus the sale of spirits and
6 malt or brewed beverages for consumption on premises,
7 in..... Yes
8 by.....? No

9 In case of a tie vote, the status quo shall obtain. If a
10 majority of the voting electors on any such question vote "yes,"
11 then liquor licenses shall be granted by the board to hotels,
12 restaurants, ski resorts, resort facilities and clubs, or liquor
13 licenses shall be granted by the board to public venues, to
14 performing arts facilities, to continuing care retirement
15 communities, to hotels located on property owned by an
16 accredited college or university, to privately-owned private
17 golf courses or to privately-owned public golf courses, or malt
18 and brewed beverage retail dispenser licenses or wholesale
19 distributor's and importing distributor's license for the sale
20 of malt or brewed beverages shall be granted by the board, or
21 club liquor licenses or club retail dispenser licenses shall be
22 granted by the board to incorporated units of national veterans'
23 organizations, or special occasion permits may be issued to
24 qualified organizations, or the board may establish, operate and
25 maintain Pennsylvania liquor stores, as the case may be, in such
26 municipality or part of a split municipality, as provided by
27 this act; but if a majority of the electors voting on any such
28 question vote "no," then the board shall have no power to grant
29 or to renew upon their expiration any licenses of the class so
30 voted upon in such municipality or part of a split municipality;
31 or if the negative vote is on the question in respect to the
32 establishment, operation and maintenance of Pennsylvania liquor
33 stores, the board shall not open and operate a Pennsylvania
34 liquor store in such municipality or part of a split
35 municipality, nor continue to operate a then existing
36 Pennsylvania liquor store in the municipality or part of a split
37 municipality for more than two years thereafter or after the
38 expiration of the term of the lease on the premises occupied by
39 such store, whichever period is less, unless and until at a
40 later election a majority of the voting electors vote "yes" on
41 such question.

42 Amend Bill, page 12, line 23, by striking out "3" and
43 inserting

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