

AMENDMENTS TO HOUSE BILL NO. 425

Sponsor: SENATOR BREWSTER

Printer's No. 938

1 Amend Bill, page 1, line 19, by inserting after

2 "restrictions"

3 and for prepared beverages and mixed drinks for off-premises
4 consumption during disaster emergency and providing for
5 safekeeping during 2020 disaster emergency

6 Amend Bill, page 2, by inserting between lines 8 and 9

7 Section 1.1. The heading of section 417 of the act, added
8 May 21, 2020 (P.L.149, No.21), is amended and the section is
9 amended by adding subsections to read:

10 Section 417. [Prepared Beverages and Mixed Drinks for Off-

11 Premises Consumption During] COVID-19 Disaster Emergency.--* * *

12 (a.1) Notwithstanding any other provision of this act, the
13 following shall apply to the temporary extension of the licensed
14 premises:

15 (1) Upon receipt of a request from a licensed club, catering
16 club, restaurant, retail dispenser, hotel, limited distillery,
17 distillery, brewery or limited winery, the board may temporarily
18 extend the licensed premises of the applicant to include any
19 outside serving area that is:

20 (i) immediately adjacent to the existing licensed areas; or

21 (ii) within one thousand feet of the main licensed building,

22 notwithstanding that the area to be temporarily licensed and the
23 main licensed building are separated by a public thoroughfare.

24 (2) The board shall grant immediate operating authority to
25 the applicant to use the outside area subject to the request
26 while the board processes the request.

27 (3) The operating authority under this subsection shall be
28 terminated if:

29 (i) a valid protest is received; or

30 (ii) the board determines that the proposed area does not
31 meet the requirements of this act and board regulations for the
32 licensing of the area in question.

33 (4) A filing fee may not be required from an applicant under
34 this subsection.

35 (5) The board may require the applicant to provide any
36 information that the board deems relevant.

37 (a.2) The following shall apply to the issuance of off-

1 premises catering permits:

2 (1) The board may authorize an unlimited number of off-
3 premises catered functions to entities that qualify for the
4 permits under this act.

5 (2) An application fee may not be required from an entity
6 requesting a catering permit under this subsection.

7 (3) An application for a catering permit under this
8 subsection shall not need to be submitted prior to March 1 of
9 that calendar year.

10 (4) A five-hour limit on catered functions shall not apply
11 to a catering permit under this subsection. Except for any
12 requirement under this act for a catered function not
13 specifically waived under this subsection, each requirement for
14 a catered function shall apply.

15 (5) The authority to operate on a temporarily extended
16 licensed premises shall expire December 31, 2022.

17 (a.3) Subsections (a.1) and (a.2) shall expire December 31,
18 2022.

19 * * *

20 Section 1.2. The act is amended by adding a section to read:

21 Section 462.1. Safekeeping During 2020 Disaster Emergency.--

22 In addition to the authority under section 462 and
23 notwithstanding any other provision of this act, the board may
24 do any of the following during the proclamation of disaster
25 emergency issued by the Governor on March 6, 2020, published at
26 50 Pa.B. 1644 (March 21, 2020), and any renewal of the state of
27 disaster emergency:

28 (1) Provide an additional year of safekeeping for a club or
29 catering club license that was in safekeeping during the
30 proclamation of disaster emergency. A license under this
31 paragraph may not be subject to a renewal, validation or late
32 fee that would be due during the additional year, except that
33 the licensee must file a renewal or validation that becomes due.
34 An additional year of safekeeping under this paragraph shall
35 start on the date of a renewal or validation of the license that
36 occurs after December 31, 2021, and shall be in addition to the
37 two years authorized under section 474.

38 (2) Provide an additional year of safekeeping for a
39 restaurant, eating place retail dispenser, hotel, importing
40 distributor and distributor license that was in safekeeping
41 during the proclamation of disaster emergency. A license under
42 this paragraph may not be subject to a renewal, validation, late
43 or safekeeping fee that would be due during the additional year,
44 except that the licensee must file a renewal or validation that
45 becomes due. An additional year of safekeeping under this
46 paragraph shall start on the date of a renewal or validation of
47 the license that occurs after December 31, 2021.