

AMENDMENTS TO HOUSE BILL NO. 1497

Sponsor: REPRESENTATIVE METZGAR

Printer's No. 1627

1 Amend Bill, page 1, line 18, by inserting after "providing"
2 for renewal of licenses and temporary provisions for licensees
3 in armed service and

4 Amend Bill, page 1, lines 22 through 24, by striking out all
5 of said lines and inserting

6 Section 1. Section 470(a)(1) of the act of April 12, 1951
7 (P.L.90, No.21), known as the Liquor Code, amended June 5, 2020
8 (P.L.213, No.29), is amended to read:

9 Section 470. Renewal of Licenses; Temporary Provisions for
10 Licensees in Armed Service.--(a) (1) All applications for
11 validation or renewal of licenses under the provisions of this
12 article shall be filed at least sixty days before the expiration
13 date of same, along with tax clearance from the Department of
14 Revenue and the Department of Labor and Industry, the requisite
15 license and filing fees, and, except as provided under paragraph
16 (2), shall include an application surcharge of seven hundred
17 dollars (\$700.00): Provided, however, That the board, in its
18 discretion, may accept nunc pro tunc a renewal application filed
19 less than sixty days before the expiration date of the license
20 with the required fees, upon reasonable cause shown and the
21 payment of an additional filing fee of one hundred dollars
22 (\$100.00) for late filing: And provided further, That except
23 where the failure to file a renewal application on or before the
24 expiration date has created a license quota vacancy after said
25 expiration date which has been filled by the issuance of a new
26 license, after such expiration date, but before the board has
27 received a renewal application nunc pro tunc within the time
28 prescribed herein the board, in its discretion, may, after
29 hearing, accept a renewal application filed within two years
30 after the expiration date of the license with the required fees
31 upon the payment of an additional filing fee of two hundred
32 fifty dollars (\$250.00) for late filing. Where any such renewal
33 application is filed less than sixty days before the expiration
34 date, or subsequent to the expiration date, no license shall
35 issue upon the filing of the renewal application until the
36 matter is finally determined by the board and if an appeal is
37 taken from the board's action the courts shall not order the

1 issuance of the renewal license until final determination of the
2 matter by the courts. The board may enter into an agreement with
3 the applicant concerning additional restrictions on the license
4 in question. If the board and the applicant enter into such an
5 agreement, such agreement shall be binding on the applicant.
6 Failure by the applicant to adhere to the agreement will be
7 sufficient cause to form the basis for a citation under section
8 471 and for the nonrenewal of the license under this section. A
9 renewal application will not be considered filed unless
10 accompanied by the requisite filing and license fees and any
11 additional filing fee required by this section. Unless the board
12 shall have given ten days' previous notice to the applicant of
13 objections to the renewal of his license, based upon violation
14 by the licensee or his servants, agents or employes of any of
15 the laws of the Commonwealth or regulations of the board
16 relating to the manufacture, transportation, use, storage,
17 importation, possession or sale of liquors, alcohol or malt or
18 brewed beverages, or the conduct of a licensed establishment, or
19 unless the applicant has by his own act become a person of ill
20 repute, or unless the premises do not meet the requirements of
21 this act or the regulations of the board, the license of a
22 licensee shall be renewed. Notwithstanding any other provision
23 of this act, a noise violation shall not be the sole basis for
24 objection by the board to the renewal of a license unless the
25 licensee has received [six] three prior adjudicated noise
26 citations within a twenty-four-month period.

27 * * *

28 Section 2. Section 493.1(e)(1) and (2) of the act are
29 amended and the subsection is amended by adding a paragraph to
30 read:

31 Amend Bill, page 2, line 1, by inserting after "contrary"

32 except as provided under paragraph (3)

33 Amend Bill, page 2, line 9, by striking out "ten" where it
34 occurs the second time and inserting

35 nine

36 Amend Bill, page 2, by inserting between lines 13 and 14

37 (4) The Bureau of Liquor Control Enforcement of the
38 Pennsylvania State Police shall enforce the provisions of this
39 subsection.