AN ACT

Amending the act of April 12, 1951 (P.L.90, No.21), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," in licenses and regulations and liquor, alcohol and malt and brewed beverages, further providing for prepared beverages and mixed drinks for off-premises consumption during disaster emergency.

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

Section 1. Section 417 heading, (b) and (c) of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, added May 21, 2020 (P.L.149, No.21), are amended to read:

Section 417. Prepared Beverages and Mixed Drinks for Off-Premises Consumption [During Disaster Emergency].---* * *
[(b) Notwithstanding any other provision of this section or provision of law to the contrary, a licensee selling prepared beverages and mixed drinks for off-premises consumption may only do so during the COVID-19 disaster emergency and during the mitigation period after the termination of the disaster emergency in which a licensee is operating at less than sixty per centum (60%) capacity.]

(c) A licensee may sell liquor to another licensee qualified to sell prepared beverages and mixed drinks under this section. The licensee shall notify the board in writing advising it of the name of the licensee and identifying any product sold to that licensee, as well as the description of the liquor, including brand names, sizes and numbers of containers sold to another licensee. [The sales may only occur during the COVID-19 disaster emergency and during the mitigation period after the termination of the disaster emergency in which a licensee is operating at less than sixty per centum (60%) capacity.]

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