

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 727 Session of
1999

INTRODUCED BY ARGALL, BELFANTI, CORRIGAN, FAIRCHILD, HALUSKA,
HARHAI, HENNESSEY, McCALL, MELIO, NAILOR, READSHAW, SAINATO,
SEYFERT, STABACK, STEVENSON, SURRA, TIGUE, TRELLO, VAN HORNE
AND WILT, MARCH 8, 1999

REFERRED TO COMMITTEE ON LIQUOR CONTROL, MARCH 8, 1999

AN ACT

1 Amending the act of April 12, 1951 (P.L.90, No.21), entitled, as
2 reenacted, "An act relating to alcoholic liquors, alcohol and
3 malt and brewed beverages; amending, revising, consolidating
4 and changing the laws relating thereto; regulating and
5 restricting the manufacture, purchase, sale, possession,
6 consumption, importation, transportation, furnishing, holding
7 in bond, holding in storage, traffic in and use of alcoholic
8 liquors, alcohol and malt and brewed beverages and the
9 persons engaged or employed therein; defining the powers and
10 duties of the Pennsylvania Liquor Control Board; providing
11 for the establishment and operation of State liquor stores,
12 for the payment of certain license fees to the respective
13 municipalities and townships, for the abatement of certain
14 nuisances and, in certain cases, for search and seizure
15 without warrant; prescribing penalties and forfeitures;
16 providing for local option, and repealing existing laws,"
17 further providing for sales of alcoholic beverages by clubs.

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

20 Section 1. Section 406(a)(1) of the act of April 12, 1951
21 (P.L.90, No.21), known as the Liquor Code, reenacted and amended
22 June 29, 1987 (P.L.32, No.14), is amended to read:

23 Section 406. Sales by Liquor Licensees; Restrictions.--(a)
24 (1) Every hotel, restaurant or club liquor licensee may sell

1 liquor and malt or brewed beverages by the glass, open bottle or
2 other container, and in any mixture, for consumption only in
3 that part of the hotel or restaurant habitually used for the
4 serving of food to guests or patrons, or in a bowling alley that
5 is immediately adjacent to and under the same roof as a
6 restaurant when no minors are present, unless minors who are
7 present are under proper supervision as defined in section 493,
8 in the bowling alley, and in the case of hotels, to guests, and
9 in the case of clubs, to members, in their private rooms in the
10 hotel or club. No club licensee nor its officers, servants,
11 agents or employees, other than one holding a catering license,
12 shall sell any liquor or malt or brewed beverages to any person
13 except a member of the club or nonmembers associated with a
14 group constituting a league who are participating in a league
15 event on the licensed premises. In the case of a restaurant
16 located in a hotel which is not operated by the owner of the
17 hotel and which is licensed to sell liquor under this act,
18 liquor and malt or brewed beverages may be sold for consumption
19 in that part of the restaurant habitually used for the serving
20 of meals to patrons and also to guests in private guest rooms in
21 the hotel. For the purpose of this paragraph, any person who is
22 an active member of another club which is chartered by the same
23 state or national organization shall have the same rights and
24 privileges as members of the particular club. For the purpose of
25 this paragraph, any person who is an active member of any
26 volunteer firefighting company, association or group of this
27 Commonwealth, whether incorporated or unincorporated, shall upon
28 the approval of any club composed of volunteer firemen licensed
29 under this act, have the same social rights and privileges as
30 members of such licensed club. For the purposes of this

1 paragraph, the term "active member" shall not include a social
2 member.

3 * * *

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