

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1278 Session of 2011

INTRODUCED BY BRENNAN, CALTAGIRONE, CARROLL, FABRIZIO, FREEMAN,
GOODMAN, HALUSKA, JOSEPHS, LONGIETTI, MANN, MILNE, REICHLEY,
SABATINA, SANTONI AND STURLA, APRIL 5, 2011

AS REPORTED FROM COMMITTEE ON LIQUOR CONTROL, HOUSE OF
REPRESENTATIVES, AS AMENDED, APRIL 13, 2011

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 by liquor licensees and
18 restrictions and for special occasion permits.

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

21 Section 1. Section 406 of the act of April 12, 1951 (P.L.90,
22 No.21), known as the Liquor Code, reenacted and amended June 29,
23 1987 (P.L.32, No.14), is amended by adding a subsection to read:

24 Section 406. Sales by Liquor Licensees; Restrictions.--* * *

25 (f) Notwithstanding any other provision of law, every hotel,

restaurant or club liquor licensee located within the boundaries
of a special occasion permit area designated by a nonprofit
corporation engaged in the performing arts in a city of the
third class pursuant to section 408.4(h) may sell liquor and
malt or brewed beverages by the glass, open bottle or other
container, and in any mixture, for consumption off the premises
during the period and hours when such entity is using the
special occasion permit.

Section 2. Section 408.4(h) and (j) of the act, amended
December 9, 2002 (P.L.1653, No.212), are amended to read:

Section 408.4. Special Occasion Permits.--

* * *

(h) The board may issue a special occasion permit to an
eligible entity. The board may also issue a special occasion
permit to one auxiliary of any eligible entity. Any eligible
entity that wishes to acquire a special occasion permit must
submit a written application to the board in such form and
containing such information as the board shall from time to time
prescribe. If the eligible entity is a nonprofit corporation
engaged in the performing arts in a city of the third class, the
application shall include a description of the boundaries of the
area in which the special occasion permit will be used. The fee
for special occasion permits shall be as set forth under section
614-A(24) of the act of April 9, 1929 (P.L.177, No.175), known
as "The Administrative Code of 1929."

* * *

(j) The eligible entity shall give the local police
department or the Pennsylvania State Police if there is no local
police department written notice at least forty-eight hours
prior to each use of the special occasion permit. Written notice

1 consists of notifying the police of the date, time and place of
2 the impending sale of alcoholic beverages. If the eligible
3 entity is a nonprofit corporation engaged in the performing arts
4 in a city of the third class, the written notice shall include a
5 description of the boundaries of the area in which the special
6 occasion permit will be used.

7 * * *

8 Section 3. This act shall take effect ~~in 60 days~~
9 IMMEDIATELY.

