

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1375 Session of
2015

INTRODUCED BY PAYNE, KOTIK, D. COSTA, DUNBAR, HELM, McNEILL,
MILLARD, MOUL, O'NEILL AND THOMAS, JUNE 25, 2015

REFERRED TO COMMITTEE ON GAMING OVERSIGHT, JUNE 25, 2015

AN ACT

1 Amending Title 4 (Amusements) of the Pennsylvania Consolidated
2 Statutes, in administration and enforcement, providing for
3 casino liquor license.

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

6 Section 1. Title 4 of the Pennsylvania Consolidated Statutes
7 is amended by adding a section to read:

8 § 1521.1. Casino liquor license.

9 (a) Application.--A slot machine licensee holding a
10 restaurant liquor or eating place retail dispenser license may
11 apply to the Pennsylvania Liquor Control Board for a casino
12 liquor license. The Pennsylvania Liquor Control Board may issue
13 a casino liquor license to anyone approved to hold a slot
14 machine license for use at the facility that houses the slot
15 machine license.

16 (b) Fees.--Each application for a casino license under this
17 section shall be accompanied by an applicant's fee of
18 \$1,000,000.

1 (c) Renewal.--

2 (1) The license must be renewed on an annual basis.

3 (2) For the first four years after the initial issue of
4 the license, the license shall be subject to an annual
5 renewal fee of \$1,000,000.

6 (3) Thereafter, the licensee shall be subject to an
7 annual renewal fee of \$250,000.

8 (4) All fees collected or received by the Pennsylvania
9 Liquor Control Board under this subsection shall be paid into
10 the State Treasury through the Department of Revenue into the
11 General Fund.

12 (d) Disposition of restaurant liquor or eating place retail
13 dispenser license.--

14 (1) An applicant under this section that currently holds
15 a restaurant liquor or eating place retail dispenser license
16 issued under the authority of the act of April 12, 1951
17 (P.L.90, No.21), known as the Liquor Code, may continue to
18 utilize that license until such time as the casino liquor
19 license is issued by the Pennsylvania Liquor Control Board.
20 Upon the issuance of a license under this section, the
21 applicant must surrender the restaurant liquor or eating
22 place retail dispenser license to the Pennsylvania Liquor
23 Control Board.

24 (2) An applicant under this section that currently holds
25 a restaurant liquor or eating place retail dispenser license
26 purchased through private sale may continue to utilize that
27 license until such time as the casino liquor license is
28 issued by the Pennsylvania Liquor Control Board. Upon
29 issuance of a license under this section, the applicant may
30 sell the previously purchased restaurant liquor or eating

1 place retail dispenser license.

2 (e) Hours of operation.--Notwithstanding any other provision
3 of law to the contrary, a holder of a casino liquor license may
4 sell or serve liquor and malt or brewed beverages 24 hours a
5 day, seven days a week.

6 (f) Transfers.--Licenses issued under this section are
7 nontransferable. Nothing in this subsection shall preclude a
8 transfer of ownership of a casino liquor license to another
9 eligible person to be used at the same licensed premises.

10 (g) Expiration.--Licenses under this section shall expire
11 under the following circumstances:

12 (1) revocation by an administrative law judge under
13 section 471 of the Liquor Code;

14 (2) nonrenewal by the Pennsylvania Liquor Control Board
15 under section 470 of the Liquor Code;

16 (3) nonrenewal of the license by the license holder; or

17 (4) upon request by the slot machine license holder.

18 (h) New applicant.--The Pennsylvania Liquor Control Board
19 may issue a license under this section at any time to a new
20 applicant even if the previous license had:

21 (1) been revoked by an administrative law judge under
22 section 471 of the Liquor Code;

23 (2) not been renewed by the Pennsylvania Liquor Control
24 Board under section 470 of the Liquor Code;

25 (3) not been renewed by the license holder; or

26 (4) expired upon request by the slot machine license
27 holder.

28 (i) Restrictions and privileges.--Licenses issued under this
29 section are subject to the following additional restrictions and
30 privileges:

1 (1) Sales may be made at any time the facility is open
2 to the public.

3 (2) Liquor or malt or brewed beverages may be
4 transported and consumed off the licensed portion of the
5 premises so long as it remains within the facility that
6 houses the slot machine license.

7 (3) Sales of malt or brewed beverages for off-premises
8 consumption are prohibited.

9 (4) In addition to the provisions of section 493(24)(ii)
10 of the Liquor Code, the holder of a casino license may give
11 liquor and malt or brewed beverages free of charge to any
12 person attending an invitation-only event held anywhere on
13 the premises of the licensed facility, as that term is
14 defined in section 1103 (relating to definitions).

15 (5) Licenses issued under this section shall not be
16 subject to:

17 (i) the proximity provisions of sections 402 and 404
18 of the Liquor Code;

19 (ii) the restrictions on discount pricing practices
20 set forth in section 406(g) of the Liquor Code;

21 (iii) the quota restrictions of section 461 of the
22 Liquor Code;

23 (iv) the provisions of section 493(10) of the Liquor
24 Code, except as it relates to lewd, immoral or improper
25 entertainment;

26 (v) the prohibition against minors frequenting as
27 described in section 493(14) of the Liquor Code;

28 (vi) the cost and total display area limitations of
29 section 493(20)(i) of the Liquor Code;

30 (vii) the restrictions on events, tournaments or

1 contests set forth in 40 Pa. Code § 5.32 (relating to
2 restrictions/exceptions); and

3 (viii) the restrictions on the awarding of trophies,
4 prizes or premiums set forth in 40 Pa. Code § 5.32.

5 (j) Multiple licenses.--More than one license issued by the
6 Pennsylvania Liquor Control Board may be in effect at a facility
7 that houses the slot machine license at any one time. However,
8 no more than one license issued under this section shall be in
9 effect at any specific location at the same time.

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