

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 758 Session of 2021

INTRODUCED BY ORTITAY, JAMES, GLEIM, WEBSTER, SANKEY, ROWE AND WHEELAND, MARCH 3, 2021

REFERRED TO COMMITTEE ON LIQUOR CONTROL, MARCH 3, 2021

AN ACT

1 Amending the act of April 12, 1951 (P.L.90, No.21), entitled "An
 2 act relating to alcoholic liquors, alcohol and malt and
 3 brewed beverages; amending, revising, consolidating and
 4 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," in
 17 Pennsylvania Liquor Stores, further providing for sales by
 18 Pennsylvania Liquor Stores.

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

21 Section 1. Section 305 of the act of April 12, 1951 (P.L.90,
 22 No.21), known as the Liquor Code, is amended by adding a
 23 subsection to read:

24 Section 305. Sales by Pennsylvania Liquor Stores.--* * *
 25 (g.1) (1) The board shall contract with a vendor to
 26 operate, maintain and oversee the online store through the

1 Commonwealth bidding process.

2 (2) The vendor under contract with the board shall:

3 (i) operate the online store in consultation with the board
4 to ensure continuity with brick and mortar stores, as well as
5 operation under the same privileges and restrictions contained
6 in this section;

7 (ii) operate, maintain and manage fulfillment centers in
8 order to provide delivery of any product ordered through the
9 online store; and

10 (iii) be a transporter for hire licensee and may further
11 utilize any transporter for hire licensee the vendor deems
12 necessary for delivery of product.

13 (3) The vendor under contract with the board may hire an
14 employee to ensure successful operation of the online store and
15 fulfillment center and shall not be subject to section 302.

16 (4) The limitations under subsection (g) shall not apply to
17 the board's online store, unless the vendor under contract with
18 the board determines the measures are necessary for equitable
19 sale and distribution.

20 * * *

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