

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 349 Session of 2023

INTRODUCED BY BARTOLOTTA AND HAYWOOD, FEBRUARY 10, 2023

REFERRED TO LAW AND JUSTICE, FEBRUARY 10, 2023

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 licenses and regulations and liquor, alcohol and malt and
 18 brewed beverages, further providing for unlawful acts
 19 relative to liquor, malt and brewed beverages and licensees.

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

22 Section 1. Section 493(13) of the act of April 12, 1951
 23 (P.L.90, No.21), known as the Liquor Code, is amended to read:

24 Section 493. Unlawful Acts Relative to Liquor, Malt and
 25 Brewed Beverages and Licensees.--The term "licensee," when used
 26 in this section, shall mean those persons licensed under the
 27 provisions of Article IV, unless the context clearly indicates

1 otherwise.

2 It shall be unlawful--

3 * * *

4 (13) Retail Licensees Employing Minors. For any hotel,
5 restaurant or club liquor licensee, or any retail dispenser, to
6 employ or to permit any minor under the age of eighteen to serve
7 any alcoholic beverages or to employ or permit any minor under
8 the age of sixteen to render any service whatever in the
9 licensed premises, nor shall any entertainer under the age of
10 eighteen be employed or permitted to perform in any licensed
11 premises in violation of the labor laws of this Commonwealth:
12 Provided, That in accordance with board regulations minors
13 between the ages of sixteen and eighteen may be employed to
14 serve food, clear tables and perform other similar duties, not
15 to include the dispensing or serving of alcoholic beverages. A
16 ski resort, golf course or amusement park licensee may employ
17 minors fourteen and fifteen years of age to perform duties in
18 rooms or areas of the licensed premises[;] and an organization
19 that has been established as a nonprofit organization under 26
20 U.S.C. § 501(c) (3) (relating to exemption from tax on
21 corporations, certain trusts, etc.) operating in a city of the
22 second class that provides educational programming designed to
23 provide culinary and life skills, together with support services
24 and resources, to criminal-justice-system-involved juveniles and
25 young adults may employ minors fifteen years of age to perform
26 duties in rooms or areas of the licensed premises; however, such
27 minors may not perform duties in rooms or areas in which alcohol
28 is being concurrently dispensed or served or in which alcohol is
29 being concurrently stored in an unsecured manner.
30 Notwithstanding any provisions of law to the contrary, a hotel,

1 restaurant or club liquor licensee or any retail dispenser may
2 allow students receiving instruction in a performing art to
3 perform an exhibition if the students are not compensated and
4 are under proper supervision. Written notice of the performance
5 must be provided to the enforcement bureau prior to the
6 performance.

7 * * *

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