
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1265 Session of
2024

INTRODUCED BY COLEMAN, PHILLIPS-HILL, K. WARD, LANGERHOLC,
PENNYCUICK, ROTHMAN, LAUGHLIN, STEFANO, BROWN, HUTCHINSON AND
BAKER, JUNE 21, 2024

REFERRED TO LAW AND JUSTICE, JUNE 21, 2024

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 Control Board, providing for expungement
18 of citations regarding COVID-19 protocols.

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

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

23 Section 219. Expungement of Citations Regarding COVID-19
24 Protocols.--(a) Subject to subsection (b), a citation issued by
25 the board or the enforcement bureau to a retail licensee for

1 failure of the retail licensee to comply with any of the
2 following executive actions during the period in which the
3 Governor's Proclamation of Disaster Emergency issued on March 6,
4 2020, published at 50 Pa.B. 1644 (March 21, 2020) was in effect
5 shall be expunged by the board or the enforcement bureau, as
6 applicable:

7 (1) A proclamation or order of the Governor under 35 Pa.C.S.
8 § 7301(f)(7) (relating to general authority of Governor),
9 section 8(a) of the act of April 27, 1905 (P.L.312,
10 No.218), entitled "An act creating a Department of Health, and
11 defining its powers and duties," section 2102(a) of the act of
12 April 9, 1929 (P.L.177, No.175), known as The Administrative
13 Code of 1929, or section 5 of the act of April 23, 1956 (1955
14 P.L.1510, No.500), known as the Disease Prevention and Control
15 Law of 1955, which relates to the novel coronavirus known as
16 "COVID-19."

17 (2) An order of the Secretary of Health under section 8(a)
18 of the act of April 27, 1905 (P.L.312, No.218), entitled "An act
19 creating a Department of Health, and defining its powers and
20 duties," section 2102(a) or 2106 of The Administrative Code of
21 1929, section 5 of the Disease Prevention and Control Law of
22 1955 or 28 Pa. Code § 27.60 (relating to disease control
23 measures), 27.61 (relating to isolation), 27.65 (relating to
24 quarantine), 27.66 (relating to placarding), 27.67 (relating to
25 movement of persons and animals subject to isolation or
26 quarantine by action of a local health authority or the
27 Department) or 27.68 (relating to release from isolation or
28 quarantine), which relates to the novel coronavirus known as
29 "COVID-19."

30 (3) Guidance issued by the Department of Health or the

1 Department of Human Services relating to the novel coronavirus
2 known as "COVID-19."

3 (b) If the board or enforcement bureau issued a citation to
4 a retail licensee as described in subsection (a), the board or
5 enforcement bureau, as applicable, shall:

6 (1) expunge the citation, if the imposition of the citation
7 was for a violation of executive action described in subsection
8 (a) at no cost to the retail licensee within 30 days of the
9 effective date of this paragraph; and

10 (2) provide notice of the expungement to the retail
11 licensee.

12 (c) As used in this section, the following words and phrases
13 shall have the meanings given to them in this subsection:

14 "Retail licensee" shall mean a person that holds a hotel
15 license, a restaurant liquor license, an eating place retail
16 dispenser license, a club license or a catering club license
17 under this act.

18 Section 2. This act shall take effect immediately.