



# HOUSE COMMITTEE ON APPROPRIATIONS

## FISCAL NOTE

HOUSE BILL NO. 2267

PRINTERS NO. 3786

PRIME SPONSOR: Gabler

### COST / (SAVINGS)

FUND	FY 2011/12	FY 2012/13
State Stores Fund	\$0	Nominal Revenue Gain
Liquor License Fund	\$0	\$0

**SUMMARY:** House Bill 2267, printer's number 3786, amends the act of April 12, 1951 (P.L. 90, No. 21), known as The Liquor Code, as re-enacted and amended, to further provide for definitions; sales by Pennsylvania Liquor Stores; renewal or transfer of licenses; sales of liquor or alcohol by branches of the United States military; exemptions from noise restrictions; and to make changes to the process for obtaining off-premises catering permits.

**ANALYSIS:** The bill amends The Liquor Code as follows:

- Definitions in Section 102 are amended, including:
  - "Alcoholic cider" is re-defined to include beverages, which may contain carbonation, produced through fermentation of any fruit or fruit juice rather than just apples;
  - "Catered function" is modified to clarify that functions shall not include the general public and arrangements for the function must be made with the Liquor Control Board (LCB) at least thirty days in advance rather than forty-eight hours in advance; and
  - "Eligible Entity" is modified to broaden the number of entities eligible to obtain special occasion permits authorized in Section 408.4 of the Liquor Code. Special occasion liquor permits may be used for a period of not more than six consecutive or ten nonconsecutive days per calendar year by applying to the LCB and paying a \$30 per day fee.
- Section 305 is amended to increase the size of containers of wine the LCB may sell from six liters or less to sixty liters or less.
- The bill amends several sections of The Liquor Code to add additional requirements for off-premises catering permits for liquor licensees. Specifically, the bill amends Section 493(33) to provide that all licensees desiring an off-premises catering permit must pay an annual \$500 fee by March 1<sup>st</sup> of each calendar year. The licensee must also provide written notice to the LCB 30 days prior to a catered event and must specify the location and time of the event, as well as the name of the host and the number of guests expected. Catered events may not exceed five hours a day and must end by midnight. Catered events may not be held in parking facilities near a sporting event or concert or in a location that is mobile. The owner of any private property on which a catered event is held shall be deemed to have submitted to the jurisdiction of the Bureau of Liquor Control Enforcement (BLCE) and no warrant shall be necessary before the BLCE can enter the property.

- Section 472 is amended by adding a subsection to permit the renewal or transfer of a restaurant liquor license, an eating place retail dispenser license, a hotel license, a club license or a distributor license in a location in which two or more municipalities have merged and the resulting municipality prohibits the issuance of such licenses.
- Language is added to Section 491(2) to clarify that the term “package store,” as it relates to the sale of alcohol, means retail operations located on any United States military installation, including an installation of the Army, Navy, Air Force, Marine Corps or Coast Guard.
- Sections 493(34) and 493.1 are amended to provide exemptions from the LCB’s noise restrictions.

**FISCAL IMPACT:** The enactment of this legislation will have no adverse impact on Commonwealth funds and may result in nominal revenue gains from the issuance of the \$30 per day special occasion permits to the new entities that will now be eligible to apply for the permits.

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House Appropriations Committee (R)

**DATE:** June 20, 2012

*Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*