



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 221

PRINTER'S NO. 2220

PRIME SPONSOR: Smith

COST / (SAVINGS)

| FUND | FY 2023/24 | FY 2024/25 |
|--------------|------------|------------|
| General Fund | \$0 | \$0 |

SUMMARY:

House Bill 221, Printer's Number 2220, would reauthorize the Pennsylvania State Police to send individuals under the age of 21 into establishments with a liquor license to purchase alcohol for compliance checks.

ANALYSIS:

The legislation amends Act 21 of 1951 (Liquor Code) to reauthorize the Pennsylvania State Police (PSP) Bureau of Liquor Control Enforcement (BLCE) to employ individuals under the age of 21 to purchase, attempt to purchase, possess, or transport alcohol to conduct compliance checks for establishments with a liquor license and Pennsylvania liquor stores (i.e., Fine Wine & Good Spirits stores) if the following requirements are satisfied:

- The individual is at least 18 years of age;
- The individual is an officer, employee, or intern of the BLCE;
- The individual has completed training specified by the BLCE;
- The individual is acting within the scope of prescribed duties; and
- The individual is acting under the direct control or supervision of a BLCE officer who is an adult.

The Pennsylvania State Police would be required to promulgate regulations for the manner in which compliance checks are to be performed. The regulations shall require, at a minimum, that:

- Prior to participation in the compliance check, the officer, employee, or intern undergoes training approved by the BLCE;
- A person with a liquor license that is found to be compliant shall be notified in writing of the compliance check and the determination of the compliance; and
- A person with a liquor license that is found to be noncompliant shall be immediately verbally advised by the supervising BLCE officer and shall be notified in writing of the failure to comply within 10 working days of the date of the compliance check.

The legislation does not permit individuals under the age of 21 to consume alcohol.

Finally, the legislation would require the Pennsylvania State Police to submit an annual report to the chairpersons and minority chairpersons of the Senate Law and Justice Committee and the House Liquor Control Committee containing information on the compliance checks performed in the previous calendar year and whether the result of each compliance check.

The legislation would take effect in 60 days upon enactment and expire five years from the effective date.

FISCAL IMPACT:

According to the PSP, enactment of this legislation will have no adverse fiscal impact on commonwealth funds. The legislation renews authorization for the PSP to conduct compliance checks on licensed establishments which previously expired on December 31, 2022, and the BLCE has an existing framework to implement the provisions of this legislation. The requirements of this legislation can, therefore, be accommodated with the PSP's existing budget and staffing levels.

PREPARED BY: Brittany Van Strien
House Appropriations Committee (D)

DATE: November 15, 2023

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