

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**SENATE BILL**

**No. 1230** Session of  
1984

INTRODUCED BY STREET, JANUARY 30, 1984

REFERRED TO LAW AND JUSTICE, JANUARY 30, 1984

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,"  
17 further providing for hours of sale.

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

20 Section 1. Section 406(a)(2), (4) and (6) of the act of  
21 April 12, 1951 (P.L.90, No.21), known as the Liquor Code,  
22 reenacted and amended September 2, 1971 (P.L.429, No.103) and  
23 amended December 17, 1982 (P.L.1390, No.319), are amended to  
24 read:

25 Section 406. Sales by Liquor Licensees; Restrictions.--(a)

1 \* \* \*

2 (2) Hotel and restaurant liquor licensees, airport  
3 restaurant liquor licensees, municipal golf course restaurant  
4 liquor licensees and privately-owned public golf course  
5 restaurant licensees may sell liquor and malt or brewed  
6 beverages only after seven o'clock antemeridian of any day until  
7 [two] six o'clock antemeridian of the following day, except  
8 Sunday, and except as hereinafter provided, may sell liquor and  
9 malt or brewed beverages on Sunday between the hours of twelve  
10 o'clock midnight and [two] six o'clock antemeridian.

11 \* \* \*

12 (4) Hotel and restaurant liquor licensees, airport  
13 restaurant liquor licensees, municipal golf course restaurant  
14 liquor licensees and privately-owned public golf course  
15 restaurant licensees which do not qualify for and purchase such  
16 annual special permit, their servants, agents or employes may  
17 sell liquor and malt or brewed beverages only after seven  
18 o'clock antemeridian of any day and until [two] six o'clock  
19 antemeridian of the following day, and shall not sell after  
20 [two] six o'clock antemeridian on Sunday. No hotel, restaurant  
21 and public service liquor licensee which does not have the  
22 special annual permit for Sunday sales shall sell liquor and  
23 malt or brewed beverages after two o'clock antemeridian on any  
24 day on which a general, municipal, special or primary election  
25 is being held until one hour after the time fixed by law for  
26 closing the polls, except, that, in the case of a special  
27 election for members of the General Assembly or members of the  
28 Congress of the United States, when such special election is  
29 held on other than a primary, municipal or general election day,  
30 licensees in those Legislative or Congressional Districts may

1 make such sales, as though the day were not a special election  
2 day. No club licensee or its servants, agents or employes may  
3 sell liquor or malt or brewed beverages between the hours of  
4 three o'clock antemeridian and seven o'clock antemeridian on any  
5 day. No public service liquor licensee or its servants, agents,  
6 or employes may sell liquor or malt or brewed beverages between  
7 the hours of two o'clock antemeridian and seven o'clock  
8 antemeridian on any day.

9 \* \* \*

10 (6) Notwithstanding any provisions to the contrary, whenever  
11 the thirty-first day of December falls on a Sunday, every hotel  
12 or restaurant liquor licensee, their servants, agents or  
13 employes may sell liquor and malt or brewed beverages on any  
14 such day after one o'clock postmeridian and until [two] six  
15 o'clock antemeridian of the following day.

16 \* \* \*

17 Section 2. The first paragraph of clause (5) and clause (6)  
18 of section 492 of the act, amended June 24, 1982 (P.L.624,  
19 No.176), are amended to read:

20 Section 492. Unlawful Acts Relative to Malt or Brewed  
21 Beverages and Licensees.--

22 It shall be unlawful--

23 \* \* \*

24 (5) Sales of Malt or Brewed Beverages by Hotels, Eating  
25 Places or Public Service Licensees During Prohibited Hours.--For  
26 any hotel or eating place holding a retail dispenser's license,  
27 or the servants, agents or employes of such licensees, to sell,  
28 trade or barter in malt or brewed beverages between the hours of  
29 [two] six o'clock antemeridian Sunday and seven o'clock in the  
30 forenoon of the following Monday, or between the hours of [two]

1 six o'clock antemeridian and seven o'clock antemeridian of any  
2 week day: Provided, That notwithstanding any provision to the  
3 contrary, whenever the thirty-first day of December falls on a  
4 Sunday such sales of malt or brewed beverages may be made on  
5 such day after one o'clock postmeridian and until [two] six  
6 o'clock antemeridian of the following day. For any public  
7 service licensee authorized to sell malt or brewed beverages or  
8 the servants, agents or employes of such licensees to sell,  
9 trade or barter in malt or brewed beverages between the hours of  
10 two o'clock antemeridian and seven o'clock antemeridian on any  
11 day.

12 \* \* \*

13 (6) Sales of Malt or Brewed Beverages on Election Day by  
14 Hotels, Eating Places or Public Service Licensees. For any hotel  
15 or eating place holding a retail dispenser's license, or any  
16 malt or brewed beverage public service licensee, or his  
17 servants, agents or employes, to sell, furnish or give any malt  
18 or brewed beverages to any person after [two] six o'clock  
19 antemeridian, or until one hour after the time fixed by law for  
20 the closing of polling places on days on which a general,  
21 municipal, special or primary election is being held except as  
22 permitted by subsection (f) of section 432.

23 \* \* \*

24 Section 3. This act shall take effect in 60 days.