

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 727 Session of  
1999

INTRODUCED BY ARGALL, BELFANTI, CORRIGAN, FAIRCHILD, HALUSKA,  
HARHAI, HENNESSEY, McCALL, MELIO, NAILOR, READSHAW, SAINATO,  
SEYFERT, STABACK, STEVENSON, SURRA, TIGUE, TRELLO, VAN HORNE  
AND WILT, MARCH 8, 1999

REFERRED TO COMMITTEE ON LIQUOR CONTROL, MARCH 8, 1999

AN ACT

1 Amending the act of April 12, 1951 (P.L.90, No.21), entitled, as  
2 reenacted, "An act relating to alcoholic liquors, alcohol and  
3 malt and brewed beverages; amending, revising, consolidating  
4 and 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 sales of alcoholic beverages by clubs.

18 The General Assembly of the Commonwealth of Pennsylvania

19 hereby enacts as follows:

20 Section 1. Section 406(a)(1) of the act of April 12, 1951  
21 (P.L.90, No.21), known as the Liquor Code, reenacted and amended  
22 June 29, 1987 (P.L.32, No.14), is amended to read:

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

24 (1) Every hotel, restaurant or club liquor licensee may sell

1 liquor and malt or brewed beverages by the glass, open bottle or  
2 other container, and in any mixture, for consumption only in  
3 that part of the hotel or restaurant habitually used for the  
4 serving of food to guests or patrons, or in a bowling alley that  
5 is immediately adjacent to and under the same roof as a  
6 restaurant when no minors are present, unless minors who are  
7 present are under proper supervision as defined in section 493,  
8 in the bowling alley, and in the case of hotels, to guests, and  
9 in the case of clubs, to members, in their private rooms in the  
10 hotel or club. No club licensee nor its officers, servants,  
11 agents or employes, other than one holding a catering license,  
12 shall sell any liquor or malt or brewed beverages to any person  
13 except a member of the club or nonmembers associated with a  
14 group constituting a league who are participating in a league  
15 event on the licensed premises. In the case of a restaurant  
16 located in a hotel which is not operated by the owner of the  
17 hotel and which is licensed to sell liquor under this act,  
18 liquor and malt or brewed beverages may be sold for consumption  
19 in that part of the restaurant habitually used for the serving  
20 of meals to patrons and also to guests in private guest rooms in  
21 the hotel. For the purpose of this paragraph, any person who is  
22 an active member of another club which is chartered by the same  
23 state or national organization shall have the same rights and  
24 privileges as members of the particular club. For the purpose of  
25 this paragraph, any person who is an active member of any  
26 volunteer firefighting company, association or group of this  
27 Commonwealth, whether incorporated or unincorporated, shall upon  
28 the approval of any club composed of volunteer firemen licensed  
29 under this act, have the same social rights and privileges as  
30 members of such licensed club. For the purposes of this

1 paragraph, the term "active member" shall not include a social  
2 member.

3 \* \* \*

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