

1 Liquor Code, reenacted and amended June 29, 1987 (P.L.32,
2 No.14), and amended November 29, 2006 (P.L.1421, No.155), is
3 amended and the section is amended by adding definitions to
4 read:

5 Section 102. Definitions.--The following words or phrases,
6 unless the context clearly indicates otherwise, shall have the
7 meanings ascribed to them in this section:

8 * * *

9 "Eligible entity" shall mean a city of the third class, a
10 hospital, a church, a synagogue, a volunteer fire company, a
11 volunteer ambulance company, a volunteer rescue squad, a unit of
12 a nationally chartered club which has been issued a club liquor
13 license, a club in a city of the third class which has been
14 issued a club liquor license and which, as of December 31, 2002,
15 has been in existence for at least 100 years, a library, a
16 nationally accredited Pennsylvania nonprofit zoological
17 institution licensed by the United States Department of
18 Agriculture, a nonprofit agricultural association in existence
19 for at least ten years, a bona fide sportsmen's club in
20 existence for at least ten years, a nationally chartered
21 veterans' organization and any affiliated lodge or subdivision
22 of such organization, a fraternal benefit society that is
23 licensed to do business in this Commonwealth and any affiliated
24 lodge or subdivision of such fraternal benefit society, a museum
25 operated by a nonprofit corporation in a city of the third class
26 or township of the first class, a nonprofit corporation engaged
27 in the performing arts in a city of the third class, borough or
28 in an incorporated town, an arts council, a nonprofit
29 corporation that operates an arts facility or museum in a city
30 of the third class in the county of the fourth class, a

1 nonprofit organization as defined under section 501(c)(3) of the
2 Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. §
3 501(c)(3)) whose purpose is to protect the architectural
4 heritage of boroughs and which has been recognized as such by a
5 municipal resolution, a nonprofit organization as defined under
6 section 501(c)(3) of the Internal Revenue Code of 1986 (Public
7 Law 99-514, 26 U.S.C. § 501(c)(3)) conducting a regatta in a
8 city of the second class with the permit to be used on State
9 park grounds or conducting a family-oriented celebration as part
10 of Welcome America in a city of the first class on property
11 leased from that city for more than fifty years, a nonprofit
12 organization as defined under section 501(c)(3) of the Internal
13 Revenue Code of 1986 (26 U.S.C. § 501(c)(3)) whose purpose is to
14 raise funds for the research and treatment of cystic fibrosis, a
15 nonprofit organization as defined under section 501(c)(3) of the
16 Internal Revenue Code of 1986 (26 U.S.C. § 501(c)(3)) whose
17 purpose is to educate the public on issues dealing with
18 watershed conservation, a nonprofit organization as defined
19 under section 501(c)(3) of the Internal Revenue Code of 1986
20 (Public Law 99-514, 26 U.S.C. § 501(c)(3)) whose purpose is to
21 provide equine assisted activities for children and adults with
22 special needs, a nonprofit economic development agency in a city
23 of the second class with the primary function to serve as an
24 economic generator for the greater southwestern Pennsylvania
25 region by attracting and supporting film, television and related
26 media industry projects and coordinating government and business
27 offices in support of a production, a county tourist promotion
28 agency as defined in section 3(1) of the act of April 28, 1961
29 (P.L.111, No.50), known as the "Tourist Promotion Law," and
30 located in a city of the third class in a county of the fourth

1 class or located in a township of the second class in a county
2 of the fifth class, a junior league in a third class county that
3 is a nonprofit organization as defined under section 501(c)(3)
4 of the Internal Revenue Code of 1986 (26 U.S.C. § 501(c)(3))
5 that is comprised of women whose purpose is exclusively
6 educational and charitable in promoting the volunteerism of
7 women and developing and participating in community projects and
8 that has been in existence for over seventy years, a nonprofit
9 organization as defined under section 501(c)(3) of the Internal
10 Code of 1986 which is located in counties of the second class A
11 and of the third class and whose purpose is the education and
12 promotion of American history or a nonprofit organization as
13 defined under section [501(C)(6)] 501(c)(6) of the Internal
14 Revenue Code of 1986 which is located in a city of the third
15 class in a county of the third class and whose purpose is to
16 support business and industry.

17 * * *

18 "Satellite wine store" shall mean a wine kiosk operated by
19 the Pennsylvania Liquor Control Board, together with the space
20 in which it is located.

21 * * *

22 ~~"Wine kiosk" shall mean an automated, self service, bottled~~ ←
23 ~~wine kiosk operated by the Pennsylvania Liquor Control Board.~~

24 * * *

25 Section 2. Section 207 of the act is amended by adding a
26 subsection to read:

27 Section 207. General Powers of Board.--Under this act, the
28 board shall have the power and its duty shall be:

29 * * *

30 (1) To establish and implement a customer relations

1 marketing program for the purpose of offering incentives, such
2 as coupons or discounts on certain products, to customers of the
3 board.

4 Section 3. Section 215 of the act, amended December 30, 2003
5 (P.L.423, No.59), is amended to read:

6 Section 215. Wine and Spirits Marketing.--

7 (e) The board is authorized to participate in or sponsor
8 wine and spirits events for the purpose of educating consumers
9 as to the wines and spirits available in this Commonwealth. The
10 wine and spirits to be used for the event may be acquired
11 through the State store system or may be donated from outside
12 this Commonwealth. Participation in the tastings may be
13 conditioned on the purchase of a ticket to the event. The event
14 may include events occurring on premises licensed by the board,
15 and the board may sell wine and spirits for off-premises
16 consumption in an area designated by the board for such sale.

17 Section 4. Section 304 of the act, amended December 8, 2004
18 (P.L.1810, No.239), is amended to read:

19 Section 304. When Sales May Be Made at Pennsylvania Liquor
20 Stores.--(a) Except as provided for in subsection (b), every
21 Pennsylvania Liquor Store shall be open for business week days,
22 except holidays as that term is defined in section 102. The
23 board may, with the approval of the Governor, temporarily close
24 any store in any municipality.

25 (b) Certain Pennsylvania Liquor Stores operated by the board
26 shall be open for Sunday retail sales between the hours of noon
27 and five o'clock postmeridian, except that no Sunday sales shall
28 occur on Easter Sunday or Christmas day. The board shall open up
29 to twenty-five per centum of the total number of Pennsylvania
30 Liquor Stores, ~~excluding any store designated as a satellite~~



1 ~~wine store in which a wine kiosk is utilized,~~ at its discretion
2 for Sunday sales as provided for in this subsection. THE TWENTY- ←
3 FIVE PER CENTUM LIMITATION SHALL NOT APPLY TO THE BOARD'S
4 OPERATION OF SATELLITE WINE KIOSKS. The board shall submit
5 yearly reports to the Appropriations and the Law and Justice
6 Committees of the Senate and the Appropriations and the Liquor
7 Control Committees of the House of Representatives summarizing
8 the total dollar value of sales under this section.

9 Section 5. Sections 411(e) and 438(c) of the act are amended
10 to read:

11 Section 411. Interlocking Business Prohibited.--* * *

12 (e) Except as herein provided, no hotel, restaurant, retail
13 dispenser or club licensee, and no officer, director or
14 stockholder, agent or employe of any such licensee shall in any
15 wise be interested, directly or indirectly, in the ownership or
16 leasehold of any property or the equipment of any property or
17 any mortgage lien against the same, used by a distributor,
18 importing distributor, or by an importer or sacramental wine
19 licensee, in the conduct of his business; nor shall any hotel,
20 restaurant, retail dispenser or club licensee, or any officer,
21 director, stockholder, agent or employe of any such licensee,
22 either directly or indirectly, lend any moneys, credit, or give
23 anything of value or the equivalent thereof, to any distributor,
24 importing distributor, importer or sacramental wine licensee,
25 for equipping, fitting out, or maintaining and conducting,
26 either in whole or in part, an establishment used in the conduct
27 of his business.

28 The purpose of this section is to require a separation of the
29 financial and business interests between manufacturers and
30 holders of hotel or restaurant liquor licenses and, as herein

1 provided, of club licenses, issued under this article, and no
2 person shall, by any device whatsoever, directly or indirectly,
3 evade the provisions of the section. But in view of existing
4 economic conditions, nothing contained in this section shall be
5 construed to prohibit the ownership of property or conflicting
6 interest by a manufacturer of any place occupied by a licensee
7 under this article after the manufacturer has continuously owned
8 and had a conflicting interest in such place for a period of at
9 least five years prior to July eighteenth, one thousand nine
10 hundred thirty-five: Provided, however, That this clause shall
11 not prohibit any hotel, restaurant or club liquor licensee from
12 owning land which is leased to, and the buildings thereon owned
13 by, a holder of a retail dispenser's license; and nothing in
14 this clause shall prevent the issuance of a retail dispenser's
15 license to a lessee of such lands who owns the buildings
16 thereon: And, provided further, That nothing contained in this
17 section shall be construed to prohibit any hotel, restaurant,
18 retail dispenser or club licensee or any officer, director or
19 stockholder, agent or employe of any such licensee from having a
20 financial or other interest, directly or indirectly in the
21 ownership or leasehold of any property or the equipment of any
22 property or any mortgage lien against same, used, leased by an
23 importer or sacramental wine licensee for the exclusive purpose
24 of maintaining commercial offices and on the condition that said
25 property is not used for the storage or sale of liquor or malt
26 or brewed beverages in any quantity[.]: And, provided further,
27 That nothing contained in this section shall be construed to
28 prohibit a member of the governing board of a public authority
29 created under subdivision (n) of Article XXIII of the act of
30 August 9, 1955 (P.L.323, No.130), known as "The County Code,"

1 from having an interest in a distributor or importing
2 distributor license notwithstanding the fact that the public
3 authority has an interest in one or more retail licenses or acts
4 as a landlord for one or more retail licenses: And, provided
5 further, That notwithstanding any other provision of this
6 section, an entity may acquire both a manufacturer's license or
7 a limited winery license and a hotel, restaurant or retail
8 dispenser license for use at the same location and more than one
9 location may be so licensed. The licenses and a person's
10 interest in the licenses or in the entity holding the licenses
11 shall not be subject to this section.

12 Section 438. Number and Kinds of Licenses Allowed Same
13 Licensee.--* * *

14 (c) No person shall possess more than one class of license,
15 except that a holder of a retail dispenser's license may also be
16 a holder of a retail liquor license[.]: Provided, however, That
17 nothing contained in this section shall be construed to prohibit
18 a member of the governing board of a public authority created
19 under subdivision (n) of Article XXIII of the act of August 9,
20 1955 (P.L.323, No.130), known as "The County Code," from having
21 an interest in a distributor or importing distributor license
22 notwithstanding the fact that the public authority has an
23 interest in one or more retail licenses or acts as a landlord
24 for one or more retail licenses: And, provided further, That
25 notwithstanding any other provision of this section, an entity
26 may acquire both a manufacturer's license or a limited winery
27 license and a hotel, restaurant or retail dispenser license for
28 use at the same location and more than one location may be so
29 licensed. The licenses and a person's interest in the licenses
30 or in the entity holding the licenses shall not be subject to

1 this section.

2 Section 6. Section 443(g) of the act, amended May 31, 1996
3 (P.L.312, No.49), is amended to read:

4 Section 443. Interlocking Business Prohibited.--* * *

5 (g) The purpose of this section is to require a separation
6 of the financial and business interests between the various
7 classes of business regulated by subdivision (B) of this
8 article, and no person or corporation shall, by any device
9 whatsoever, directly or indirectly, evade the provisions of this
10 section. But in view of existing economic conditions, nothing
11 contained in this section shall be construed to prohibit the
12 ownership of property or conflicting interest by a malt or
13 brewed beverage manufacturer of any place occupied by a
14 distributor, importing distributor or retail dispenser after the
15 manufacturer has continuously owned and had a conflicting
16 interest in such place for a period of at least five years prior
17 to the eighteenth day of July, one thousand nine hundred thirty-
18 five: Provided, however, That a holder of a manufacturer's
19 license under section 431(a) who is eligible to operate a
20 brewery pub under section 446(2) or a limited winery as provided
21 for under section 505.2 may also hold and operate under a hotel
22 liquor license, a restaurant liquor license or a malt and brewed
23 beverages retail license on the manufacturer's or limited
24 winery's licensed premises. The hotel liquor license or
25 restaurant liquor license or the malt and brewed beverages
26 retail license shall be acquired by the manufacturer or limited
27 winery subject to section 461 and shall satisfy all requirements
28 for each respective license[.]: And, provided further, That
29 nothing contained in this section shall be construed to prohibit
30 a member of the governing board of a public authority created

1 under subdivision (n) of Article XXIII of the act of August 9,
2 1955 (P.L.323, No.130), known as "The County Code," from having
3 an interest in a distributor or importing distributor license
4 notwithstanding the fact that the public authority has an
5 interest in one or more retail licenses or acts as a landlord
6 for one or more retail licenses.

7 The term "manufacturer" as used in this section shall include
8 manufacturers of malt or brewed beverages as defined in this act
9 and any person manufacturing any malt or brewed beverages
10 outside of this Commonwealth.

11 Section 7. Section 493(24)(ii) of the act, amended November
12 29, 2006 (P.L.1421, No.155), is amended to read:

13 Section 493. Unlawful Acts Relative to Liquor, Malt and
14 Brewed Beverages and Licensees.--The term "licensee," when used
15 in this section, shall mean those persons licensed under the
16 provisions of Article IV, unless the context clearly indicates
17 otherwise.

18 It shall be unlawful--

19 * * *

20 (24) * * *

21 (ii) Notwithstanding subclause (i) or any other provision of
22 law, a holder of a restaurant license that is also approved to
23 hold a slot machine license or a conditional slot machine
24 license under 4 Pa.C.S. Part II (relating to gaming) may give
25 liquor and malt or brewed beverages free of charge to any person
26 actively engaged in playing a slot machine. Further,

27 notwithstanding subclause (i) or any other provision of law, the

28 (III) NOTWITHSTANDING SUBCLAUSE (I) OR ANY OTHER PROVISION

29 OF LAW, THE board may establish and implement a customer

30 relations marketing program for the purpose of offering

1 incentives, such as coupons or discounts on certain products
2 which may be conditioned upon the purchase of liquor, to
3 customers of the board.

4 * * *

5 Section 8. Section 505 of the act, amended December 21, 1998
6 (P.L.1202, No.155), is amended to read:

7 Section 505. Licenses Issued.--Upon receipt of the
8 application in the form herein provided and the proper fees, the
9 board may grant to such applicant a license to engage in, (a)
10 the operation of a limited winery or a winery; or, (b) the
11 manufacturing, producing, distilling, developing, or using in
12 the process of manufacturing, denaturing, redistilling,
13 recovering, rectifying, blending and reusing of alcohol and
14 liquor; or, (c) the holding in bond of alcohol and liquor; or,
15 (d) the holding in storage, as bailee for hire, of alcohol,
16 liquor and malt or brewed beverages; or, (e) the transporting
17 for hire of alcohol, liquor and malt or brewed beverages. Such
18 licenses may be transferred from one person to another or from
19 one ~~place~~ LOCATION to another, or both. Every applicant for a ←
20 transfer of such licenses shall file a written application with
21 the board, together with a filing fee of five hundred fifty
22 dollars (\$550) if the transfer is to a new location, six hundred
23 fifty dollars (\$650) if the transfer is to a new person, or
24 seven hundred dollars (\$700) if the transfer is to a new person
25 for use at a new location. Whenever such a license is
26 transferred, no license or other fees shall be required from the
27 persons to whom such transfer is made for the portion of the
28 license period for which the license fee has been paid by the
29 transferor.

30 Section 9. This act shall take effect in 60 days.