

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1747 Session of 2013

INTRODUCED BY KILLION, MUSTIO, LUCAS, MILLARD, CALTAGIRONE, DeLUCA, COHEN, HEFFLEY, SANKEY, GRELL, KORTZ, MURT AND GINGRICH, OCTOBER 11, 2013

AS REPORTED FROM COMMITTEE ON LIQUOR CONTROL, HOUSE OF REPRESENTATIVES, AS AMENDED, OCTOBER 22, 2013

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 by liquor licensees, restrictions~~ <--
18 ~~and for unlawful acts relative to liquor, malt and brewed~~
19 ~~beverages and licensees~~ FURTHER PROVIDING FOR DEFINITIONS, <--
20 FOR SALES BY LIQUOR LICENSEES AND RESTRICTIONS, FOR RETAIL
21 DISPENSERS' RESTRICTIONS ON PURCHASES AND SALES, FOR
22 BREWERIES AND FOR UNLAWFUL ACTS RELATIVE TO LIQUOR, MALT AND
23 BREWED BEVERAGES AND LICENSEES.

24 The General Assembly of the Commonwealth of Pennsylvania
25 hereby enacts as follows:

26 ~~Section 1. Sections 406(f)(13) and 493(33) of the act of~~ <--
27 ~~April 12, 1951 (P.L.90, No.21), known as the Liquor Code,~~

1 ~~reenacted and amended June 29, 1987 (P.L.32, No.14) and amended~~  
2 ~~July 5, 2012 (P.L.1007, No.116), are amended to read:~~

3 SECTION 1. THE DEFINITION OF "ELIGIBLE ENTITY" IN SECTION <--  
4 102 OF THE ACT OF APRIL 12, 1951 (P.L. 90, NO.21), KNOWN AS THE  
5 LIQUOR CODE, REENACTED AND AMENDED JUNE 29, 1987 (P.L.32, NO.14)  
6 AND AMENDED JULY 5, 2012 (P.L.1007, NO.116), IS AMENDED TO READ:

7 SECTION 102. DEFINITIONS.--THE FOLLOWING WORDS OR PHRASES,  
8 UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE, SHALL HAVE THE  
9 MEANINGS ASCRIBED TO THEM IN THIS SECTION:

10 \* \* \*

11 "ELIGIBLE ENTITY" SHALL MEAN A CITY OF THE THIRD CLASS, A  
12 HOSPITAL, A CHURCH, A SYNAGOGUE, A VOLUNTEER FIRE COMPANY, A  
13 VOLUNTEER AMBULANCE COMPANY, A VOLUNTEER RESCUE SQUAD, A UNIT OF  
14 A NATIONALLY CHARTERED CLUB WHICH HAS BEEN ISSUED A CLUB LIQUOR  
15 LICENSE, A CLUB WHICH HAS BEEN ISSUED A CLUB LIQUOR LICENSE AND  
16 WHICH, AS OF DECEMBER 31, 2002, HAS BEEN IN EXISTENCE FOR AT  
17 LEAST 100 YEARS, A LIBRARY, A NATIONALLY ACCREDITED PENNSYLVANIA  
18 NONPROFIT ZOOLOGICAL INSTITUTION LICENSED BY THE UNITED STATES  
19 DEPARTMENT OF AGRICULTURE, A NONPROFIT AGRICULTURAL ASSOCIATION  
20 IN EXISTENCE FOR AT LEAST TEN YEARS, A BONA FIDE SPORTSMEN'S  
21 CLUB IN EXISTENCE FOR AT LEAST TEN YEARS, A NATIONALLY CHARTERED  
22 VETERANS' ORGANIZATION AND ANY AFFILIATED LODGE OR SUBDIVISION  
23 OF SUCH ORGANIZATION, A FRATERNAL BENEFIT SOCIETY THAT IS  
24 LICENSED TO DO BUSINESS IN THIS COMMONWEALTH AND ANY AFFILIATED  
25 LODGE OR SUBDIVISION OF SUCH FRATERNAL BENEFIT SOCIETY, A MUSEUM  
26 OPERATED BY A NONPROFIT CORPORATION, A NONPROFIT CORPORATION  
27 ENGAGED IN THE PERFORMING ARTS, AN ARTS COUNCIL, A NONPROFIT  
28 CORPORATION THAT OPERATES AN ARTS FACILITY OR MUSEUM, A  
29 NONPROFIT ORGANIZATION AS DEFINED UNDER SECTION 501(C) (3) OF THE  
30 INTERNAL REVENUE CODE OF 1986 (PUBLIC LAW 99-514, 26 U.S.C. §

1 501(C)(3)) WHOSE PURPOSE IS TO PROTECT THE ARCHITECTURAL  
2 HERITAGE OF BOROUGH OR A TOWNSHIP OF THE SECOND CLASS AND WHICH  
3 HAS BEEN RECOGNIZED AS SUCH BY A MUNICIPAL RESOLUTION, A  
4 NONPROFIT ORGANIZATION AS DEFINED UNDER SECTION 501(C)(3) OF THE  
5 INTERNAL REVENUE CODE OF 1986 (PUBLIC LAW 99-514, 26 U.S.C. §  
6 501(C)(3)) CONDUCTING A REGATTA IN A CITY OF THE SECOND CLASS  
7 WITH THE PERMIT TO BE USED ON STATE PARK GROUNDS OR CONDUCTING A  
8 FAMILY-ORIENTED CELEBRATION AS PART OF WELCOME AMERICA IN A CITY  
9 OF THE FIRST CLASS ON PROPERTY LEASED FROM THAT CITY FOR MORE  
10 THAN FIFTY YEARS, A NONPROFIT ORGANIZATION AS DEFINED UNDER  
11 SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE OF 1986 (26  
12 U.S.C. § 501(C)(3)) WHOSE PURPOSE IS TO RAISE FUNDS FOR THE  
13 RESEARCH AND TREATMENT OF CYSTIC FIBROSIS, A NONPROFIT  
14 ORGANIZATION AS DEFINED UNDER SECTION 501(C)(3) OF THE INTERNAL  
15 REVENUE CODE OF 1986 (26 U.S.C. § 501(C)(3)) WHOSE PURPOSE IS TO  
16 EDUCATE THE PUBLIC ON ISSUES DEALING WITH WATERSHED  
17 CONSERVATION, A NONPROFIT ORGANIZATION AS DEFINED UNDER SECTION  
18 501(C)(3) OF THE INTERNAL REVENUE CODE OF 1986 (PUBLIC LAW 99-  
19 514, 26 U.S.C. § 501(C)(3)) WHOSE PURPOSE IS TO PROVIDE EQUINE  
20 ASSISTED ACTIVITIES FOR CHILDREN AND ADULTS WITH SPECIAL NEEDS,  
21 A NONPROFIT ECONOMIC DEVELOPMENT AGENCY IN A CITY OF THE SECOND  
22 CLASS WITH THE PRIMARY FUNCTION TO SERVE AS AN ECONOMIC  
23 GENERATOR FOR THE GREATER SOUTHWESTERN PENNSYLVANIA REGION BY  
24 ATTRACTING AND SUPPORTING FILM, TELEVISION AND RELATED MEDIA  
25 INDUSTRY PROJECTS AND COORDINATING GOVERNMENT AND BUSINESS  
26 OFFICES IN SUPPORT OF A PRODUCTION, A COUNTY TOURIST PROMOTION  
27 AGENCY AS DEFINED IN SECTION 3(1) OF THE ACT OF APRIL 28, 1961  
28 (P.L.111, NO.50), KNOWN AS THE "TOURIST PROMOTION LAW," A JUNIOR  
29 LEAGUE THAT IS A NONPROFIT ORGANIZATION AS DEFINED UNDER SECTION  
30 501(C)(3) OF THE INTERNAL REVENUE CODE OF 1986 (26 U.S.C. §

1 501(C)(3)) THAT IS COMPRISED OF WOMEN WHOSE PURPOSE IS  
2 EXCLUSIVELY EDUCATIONAL AND CHARITABLE IN PROMOTING THE  
3 VOLUNTEERISM OF WOMEN AND DEVELOPING AND PARTICIPATING IN  
4 COMMUNITY PROJECTS AND THAT HAS BEEN IN EXISTENCE FOR OVER  
5 SEVENTY YEARS, A NONPROFIT ORGANIZATION AS DEFINED UNDER SECTION  
6 501(C)(3) OF THE INTERNAL REVENUE CODE OF 1986 AND WHOSE PURPOSE  
7 IS THE EDUCATION AND PROMOTION OF AMERICAN HISTORY, A NONPROFIT  
8 ORGANIZATION AS DEFINED UNDER SECTION 501(C)(6) OF THE INTERNAL  
9 REVENUE CODE OF 1986 WHOSE PURPOSE IS TO SUPPORT BUSINESS AND  
10 INDUSTRY, A BREWERY WHICH HAS BEEN ISSUED A LICENSE TO  
11 MANUFACTURE MALT OR BREWED BEVERAGES AND HAS BEEN IN EXISTENCE  
12 FOR AT LEAST 100 YEARS OR A CLUB RECOGNIZED BY ROTARY  
13 INTERNATIONAL AND WHOSE PURPOSE IS TO PROVIDE SERVICE TO OTHERS,  
14 TO PROMOTE HIGH ETHICAL STANDARDS AND TO ADVANCE WORLD  
15 UNDERSTANDING, GOODWILL AND PEACE THROUGH ITS FELLOWSHIP OF  
16 BUSINESS, PROFESSIONAL AND COMMUNITY LEADERS OR A NONPROFIT  
17 ORGANIZATION AS DEFINED UNDER SECTION 501(C)(3) OF THE INTERNAL  
18 REVENUE CODE OF 1986 (PUBLIC LAW 99-514, 26 U.S.C. § 501(C)(3))  
19 WHOSE PURPOSE IS TO PROMOTE MUSHROOMS WHILE SUPPORTING LOCAL AND  
20 REGIONAL CHARITIES, A MUSEUM OPERATED BY A NOT-FOR-PROFIT  
21 CORPORATION IN A CITY OF THE SECOND CLASS A, A NONPROFIT  
22 ORGANIZATION AS DEFINED UNDER SECTION 501(C)(3) OF THE INTERNAL  
23 REVENUE CODE OF 1986 WHICH IS LOCATED IN A CITY OF THE SECOND  
24 CLASS A AND HAS AS ITS PURPOSE ECONOMIC AND COMMUNITY  
25 DEVELOPMENT, A NONPROFIT ORGANIZATION AS DEFINED UNDER SECTION  
26 501(C)(3) OR (6) OF THE INTERNAL REVENUE CODE OF 1986 THAT IS  
27 LOCATED IN A CITY OF THE THIRD CLASS IN A COUNTY OF THE FIFTH  
28 CLASS, A NONPROFIT SOCIAL SERVICE ORGANIZATION DEFINED UNDER  
29 SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE OF 1986 LOCATED  
30 IN A COUNTY OF THE THIRD CLASS WHOSE PURPOSE IS TO SERVE

1 INDIVIDUALS AND FAMILIES IN THAT COUNTY OF THE THIRD CLASS, A  
2 NONPROFIT ORGANIZATION AS DEFINED UNDER SECTION 501(C)(3) OF THE  
3 INTERNAL REVENUE CODE OF 1986 WHOSE MAIN PURPOSE IS TO  
4 TEMPORARILY FOSTER STRAY AND UNWANTED ANIMALS AND MATCH THEM TO  
5 SUITABLE PERMANENT HOMES OR A NONPROFIT ORGANIZATION AS DEFINED  
6 UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE OF 1986 WHO  
7 OPERATES EITHER A MAIN STREET PROGRAM OR ELM STREET PROGRAM  
8 RECOGNIZED BY THE COMMONWEALTH, THE NATIONAL TRUST FOR HISTORIC  
9 PRESERVATION OR BOTH, A NONPROFIT RADIO STATION THAT IS A MEMBER  
10 OF THE NATIONAL PUBLIC RADIO NETWORK, A NONPROFIT PUBLIC  
11 TELEVISION STATION THAT IS A MEMBER OF THE PENNSYLVANIA PUBLIC  
12 TELEVISION NETWORK [OR], A NONPROFIT ORGANIZATION AS DEFINED  
13 UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE OF 1986  
14 WHOSE PURPOSE IS TO PROMOTE AWARENESS, EDUCATION AND RESEARCH  
15 AND TO PROVIDE A SUPPORT SYSTEM FOR PATIENTS WITH NEUTROPENIA  
16 AND THEIR FAMILIES THROUGH A NATIONAL RESOURCE NETWORK[.], A  
17 NONPROFIT ORGANIZATION AS DEFINED UNDER SECTION 501(C)(3) OF THE  
18 INTERNAL REVENUE CODE OF 1986, WHOSE PURPOSE IS TO PROVIDE YOUNG  
19 PEOPLE WITH A PROGRAM TO BUILD CHARACTER AND TRAIN THEM IN THE  
20 RESPONSIBILITIES OF PARTICIPATING, CITIZENSHIP AND DEVELOP  
21 PERSONAL FITNESS WITH THE GOAL OF CREATING FUTURE LEADERS OF THE  
22 COUNTRY OR A NONPROFIT ORGANIZATION AS DEFINED UNDER SECTION  
23 501(C)(3) OF THE INTERNAL REVENUE CODE OF 1986 WHOSE MAIN  
24 PURPOSE IS TO ASSIST CHILDREN AND THEIR FAMILIES WHO ARE FACING  
25 FINANCIAL HARDSHIP DUE TO THE DEATH OF A PARENT.

26 \* \* \*

27 SECTION 2. SECTIONS 406(F)(3), (10), (13), (18) AND (19),  
28 442(F)(2), (9), (13), (18) AND (19) AND 446(B)(3), (10), (13),  
29 (18) AND (19) OF THE ACT, AMENDED JULY 5, 2012 (P.L.1007,  
30 NO.116), ARE AMENDED AND THE SUBSECTIONS ARE AMENDED BY ADDING

1 PARAGRAPHS TO READ:

2 Section 406. Sales by Liquor Licensees; Restrictions.--\* \* \*

3 (f) The holder of a hotel or restaurant liquor license may  
4 obtain an off-premises catering permit subject to section  
5 493(33) to hold a catered function off the licensed premises and  
6 on otherwise unlicensed premises where the licensee may sell  
7 wine, liquor and malt or brewed beverages by the glass, open  
8 bottle or other container, and in any mixture together with  
9 food, for consumption on those premises. Functions conducted  
10 under the authority of the permit shall be subject to the  
11 following:

12 \* \* \*

13 (3) EACH CATERED FUNCTION SHALL LAST NO LONGER THAN ONE DAY <--  
14 AND NOT MORE THAN [FIFTY] FIFTY-TWO CATERED FUNCTIONS MAY BE  
15 HELD EACH CALENDAR YEAR BY EACH LICENSE HOLDER FOR USE WITH A  
16 PARTICULAR LICENSE;

17 \* \* \*

18 (10) WRITTEN NOTICE SHALL BE PROVIDED TO THE BOARD AT LEAST  
19 [THIRTY] FOURTEEN DAYS PRIOR TO A CATERED FUNCTION. WRITTEN  
20 NOTICE MUST INCLUDE THE LOCATION OF THE FUNCTION, TIME OF THE  
21 FUNCTION, HOST OF THE FUNCTION, GENERAL INFORMATION REGARDING  
22 THE GUESTS EXPECTED AT THE FUNCTION AS WELL AS ANY INFORMATION  
23 THE BOARD SHALL FROM TIME TO TIME PRESCRIBE. THE BOARD MAY, IN  
24 ITS DISCRETION, ACCEPT NOTICE IN AN ELECTRONIC FORMAT. THE BOARD  
25 MAY, IN ITS DISCRETION, WAIVE THE [THIRTY-DAY] FOURTEEN-DAY  
26 NOTICE PERIOD FOR A CATERED FUNCTION IF:

27 (I) THE APPLICANT HAS PREVIOUSLY CONDUCTED FUNCTIONS THAT  
28 MEET THE REQUIREMENTS OF THIS ACT;

29 (II) THE APPLICANT IS A LICENSEE IN GOOD STANDING WITH THE  
30 BOARD;

1 (III) NOTIFICATION WAS RECEIVED AT LEAST [FOURTEEN] SEVEN  
2 DAYS PRIOR TO THE CATERED FUNCTION; AND

3 (IV) THE APPLICANT PAYS A LATE FEE OF ONE HUNDRED DOLLARS  
4 (\$100);

5 \* \* \*

6 (13) no catered function may be held for more than five  
7 hours per day and must end by midnight unless the catered  
8 function occurs on December 31 of any calender year on which  
9 date the catered function must end by two o'clock antemeridian;

10 \* \* \*

11 (18) A PERMIT SHALL NOT BE ISSUED TO A LICENSEE FOR USE IN <--  
12 ANY LOCATION THAT IS MOBILE; [AND]

13 (19) A PERMIT SHALL NOT BE ISSUED FOR USE ON ANY LOCATION  
14 USED FOR PARKING AT A SPORTS EVENT OR CONCERT EVENT[.]; AND

15 (20) THE BOARD SHALL PROVIDE WRITTEN NOTICE OF THE MARCH 1  
16 APPLICATION DEADLINE AT LEAST THIRTY DAYS PRIOR TO MARCH 1 OF  
17 EACH CALENDAR YEAR. THIS WRITTEN NOTICE SHALL BE SENT TO ALL  
18 LICENSEES WHO HAVE APPLIED FOR AND RECEIVED THE OFF-PREMISES  
19 CATERING PERMIT FOR THE PRIOR CALENDAR YEAR.

20 \* \* \*

21 SECTION 442. RETAIL DISPENSERS' RESTRICTIONS ON PURCHASES  
22 AND SALES.--\* \* \*

23 (F) THE HOLDER OF AN EATING PLACE RETAIL DISPENSER LICENSE  
24 MAY OBTAIN AN OFF-PREMISES CATERING PERMIT UNDER SECTION 493(33)  
25 TO HOLD A CATERED FUNCTION OFF OF THE LICENSED PREMISES AND ON  
26 OTHERWISE UNLICENSED PREMISES WHERE THE LICENSEE MAY SELL MALT  
27 OR BREWED BEVERAGES BY THE GLASS, OPEN BOTTLE OR ANY OTHER  
28 CONTAINER, TOGETHER WITH FOOD, FOR CONSUMPTION ON THOSE PREMISES  
29 SOLELY USED FOR CATERING PREMISES. FUNCTIONS CONDUCTED UNDER THE  
30 AUTHORITY OF THE PERMIT SHALL BE SUBJECT TO THE FOLLOWING:

1 \* \* \*

2 (2) EACH CATERED FUNCTION SHALL LAST NO LONGER THAN ONE DAY  
3 AND NOT MORE THAN [FIFTY] FIFTY-TWO CATERED FUNCTIONS MAY BE  
4 HELD EACH CALENDAR YEAR BY EACH LICENSE HOLDER FOR USE WITH A  
5 PARTICULAR LICENSE;

6 \* \* \*

7 (9) WRITTEN NOTICE SHALL BE PROVIDED TO THE BOARD AT LEAST  
8 [THIRTY] FOURTEEN DAYS PRIOR TO A CATERED FUNCTION. WRITTEN  
9 NOTICE MUST INCLUDE THE LOCATION OF THE FUNCTION, TIME OF THE  
10 FUNCTION, HOST OF THE FUNCTION, GENERAL INFORMATION REGARDING  
11 THE GUESTS EXPECTED AT THE FUNCTION AS WELL AS ANY INFORMATION  
12 THE BOARD SHALL FROM TIME TO TIME PRESCRIBE. THE BOARD MAY, IN  
13 ITS DISCRETION, ACCEPT NOTICE IN AN ELECTRONIC FORMAT. THE BOARD  
14 MAY, IN ITS DISCRETION, WAIVE THE [THIRTY-DAY] FOURTEEN-DAY  
15 NOTICE PERIOD FOR A CATERED FUNCTION IF:

16 (I) THE APPLICANT HAS PREVIOUSLY CONDUCTED FUNCTIONS THAT  
17 MEET THE REQUIREMENTS OF THIS ACT;

18 (II) THE APPLICANT IS A LICENSEE IN GOOD STANDING WITH THE  
19 BOARD; OF

20 (III) NOTIFICATION WAS RECEIVED AT LEAST [FOURTEEN] SEVEN  
21 DAYS PRIOR TO THE CATERED FUNCTION; AND

22 (IV) THE APPLICANT PAYS A LATE FEE OF ONE HUNDRED DOLLARS  
23 (\$100);

24 \* \* \*

25 (13) NO CATERED FUNCTION MAY BE HELD FOR MORE THAN FIVE  
26 HOURS PER DAY AND MUST END BY MIDNIGHT UNLESS THE CATERED  
27 FUNCTION OCCURS ON DECEMBER 31 OF ANY CALENDAR YEAR ON WHICH THE  
28 DATE THE CATERED FUNCTION MUST END BY TWO O'CLOCK ANTEMERIDIAN;

29 \* \* \*

30 (18) A PERMIT SHALL NOT BE ISSUED TO A LICENSEE FOR USE IN



1 ANY LOCATION THAT IS MOBILE; [AND]

2 (19) A PERMIT SHALL NOT BE ISSUED FOR USE ON ANY LOCATION  
3 USED FOR PARKING AT A SPORTS EVENT OR CONCERT EVENT[.]; AND

4 (20) THE BOARD SHALL PROVIDE WRITTEN NOTICE OF THE MARCH 1  
5 APPLICATION DEADLINE AT LEAST THIRTY DAYS PRIOR TO MARCH 1 OF  
6 EACH CALENDAR YEAR. THIS WRITTEN NOTICE SHALL BE SENT TO ALL  
7 LICENSEES WHO HAVE APPLIED FOR AND RECEIVED THE OFF-PREMISES  
8 CATERING PERMIT FOR THE PRIOR CALENDAR YEAR.

9 SECTION 446. BREWERIES.--\* \* \*

10 (B) THE HOLDER OF A BREW PUB LICENSE MAY OBTAIN AN OFF-  
11 PREMISES CATERING PERMIT SUBJECT TO SECTION 493(33) TO HOLD A  
12 CATERED FUNCTION OFF THE LICENSED PREMISES AND ON OTHERWISE  
13 UNLICENSED PREMISES WHERE THE LICENSEE MAY SELL WINE PRODUCED BY  
14 A LICENSED LIMITED WINERY AND MALT OR BREWED BEVERAGES PRODUCED  
15 BY THE BREWERY BY THE GLASS, OPEN BOTTLE OR OTHER CONTAINER  
16 TOGETHER WITH FOOD, AND IN ANY MIXTURE, FOR CONSUMPTION ON THOSE  
17 PREMISES. FUNCTIONS CONDUCTED UNDER THE AUTHORITY OF THE PERMIT  
18 SHALL BE SUBJECT TO THE FOLLOWING:

19 \* \* \*

20 (3) EACH CATERED FUNCTION SHALL LAST NO LONGER THAN ONE DAY  
21 AND NOT MORE THAN [FIFTY] FIFTY-TWO CATERED FUNCTIONS MAY BE  
22 HELD EACH CALENDAR YEAR BY EACH LICENSE HOLDER FOR USE WITH A  
23 PARTICULAR LICENSE;

24 \* \* \*

25 (10) WRITTEN NOTICE SHALL BE PROVIDED TO THE BOARD AT LEAST  
26 [THIRTY] FOURTEEN DAYS PRIOR TO A CATERED FUNCTION. WRITTEN  
27 NOTICE MUST INCLUDE THE LOCATION OF THE FUNCTION, TIME OF THE  
28 FUNCTION, HOST OF THE FUNCTION, GENERAL INFORMATION REGARDING  
29 THE GUESTS EXPECTED AT THE FUNCTION AS WELL AS ANY INFORMATION  
30 THE BOARD SHALL FROM TIME TO TIME PRESCRIBE. THE BOARD MAY, IN

1 ITS DISCRETION, WAIVE THE [THIRTY-DAY] FOURTEEN-DAY NOTICE  
2 PERIOD FOR A CATERED FUNCTION IF:

3 (I) THE APPLICANT HAS PREVIOUSLY CONDUCTED FUNCTIONS THAT  
4 MEET THE REQUIREMENTS OF THIS ACT;

5 (II) THE APPLICANT IS A LICENSEE IN GOOD STANDING WITH THE  
6 BOARD;

7 (III) NOTIFICATION WAS RECEIVED AT LEAST [FOURTEEN] SEVEN  
8 DAYS PRIOR TO THE CATERED FUNCTION; AND

9 (IV) THE APPLICANT PAYS A LATE FEE OF ONE HUNDRED DOLLARS  
10 (\$100);

11 \* \* \*

12 (13) NO CATERED FUNCTION MAY BE HELD FOR MORE THAN FIVE  
13 HOURS PER DAY AND MUST END BY MIDNIGHT UNLESS THE CATERED  
14 FUNCTION OCCURS ON DECEMBER 31 OF ANY CALENDAR YEAR ON WHICH  
15 DATE THE CATERED FUNCTION MUST END BY TWO O'CLOCK ANTEMERIDIAN;

16 \* \* \*

17 (18) A PERMIT SHALL NOT BE ISSUED TO A LICENSEE FOR USE IN  
18 ANY LOCATION THAT IS MOBILE; [AND]

19 (19) A PERMIT SHALL NOT BE ISSUED FOR USE ON ANY LOCATION  
20 USED FOR PARKING AT A SPORTS EVENT OR CONCERT EVENT[.]; AND

21 (20) THE BOARD SHALL PROVIDE WRITTEN NOTICE OF THE MARCH 1  
22 APPLICATION DEADLINE AT LEAST THIRTY DAYS PRIOR TO MARCH 1 OF  
23 EACH CALENDAR YEAR. THIS WRITTEN NOTICE SHALL BE SENT TO ALL  
24 LICENSEES WHO HAVE APPLIED FOR AND RECEIVED THE OFF-PREMISES  
25 CATERING PERMIT FOR THE PRIOR CALENDAR YEAR.

26 SECTION 3. SECTION 493(33) OF THE ACT, AMENDED JULY 5, 2012  
27 (P.L.1007, NO.116), IS AMENDED TO READ:

28 Section 493. Unlawful Acts Relative to Liquor, Malt and  
29 Brewed Beverages and Licensees.--The term "licensee," when used  
30 in this section, shall mean those persons licensed under the

1 provisions of Article IV, unless the context clearly indicates  
2 otherwise.

3 It shall be unlawful--

4 \* \* \*

5 (33) Off-premises Catering Permit; Fees. For any licensee,  
6 his servants, agents or employes to sell alcohol at a location  
7 other than its licensed premises, unless the sale is  
8 specifically authorized under this act, or unless the licensee  
9 receives a special permit from the board to do so. Only those  
10 licensees holding a current and valid restaurant, hotel, brew  
11 pub or eating place license shall be allowed to apply for such a  
12 permit. Any licensee that wishes to obtain an off-premises  
13 catering permit must notify the board and pay the permitting fee  
14 by March of each calendar year regardless of whether the  
15 licensee has scheduled catered events. Any licensee that fails  
16 to notify the board and pay the permit fee by March 1 [shall]  
17 may be precluded from obtaining the permit for that calendar  
18 year. The board shall have the discretion to allow the issuance  
19 of the permit after the March deadline so long as the applicant  
20 is a licensee in good standing with the board and complies with  
21 all other requirements for the off-premises catering permit. A  
22 licensee applying for the permit after the March deadline shall  
23 pay the board a late fee of five hundred dollars (\$500) in  
24 addition to the permit fee allowed by this act. If a licensee  
25 notifies the board and pays the permitting fee by March 1 and  
26 does not then use the permit throughout the calendar year, the  
27 licensee shall not be entitled to a return of the permitting  
28 fee. Any licensee not granted a license until after March 1 of  
29 the calendar year shall have sixty days from the date of the  
30 license transfer to notify the board of the licensee's intention

1 to use an off-premises catering permit and pay the permitting  
2 fee. All servers at the off-premises catered function shall be  
3 certified under the board's responsible alcohol management  
4 program as required under section 471.1. The board may charge a  
5 fee of five hundred dollars (\$500) each calendar year, to each  
6 applicant for the initial permit associated with a particular  
7 license, but no further fee shall be charged for any subsequent  
8 permits issued to the applicant for the license during the same  
9 calendar year. The applicant shall submit written notice to the  
10 board [thirty] fourteen days prior to each catered event, unless  
11 this time frame has been waived by the board, and the board may  
12 approve or disapprove each event if the applicant fails to  
13 provide timely notice of the catered function, does not intend  
14 to conduct a function that meets the requirements of this act or  
15 has previously conducted a function that did not meet the  
16 requirements of this act. The fees shall be paid into the State  
17 Stores Fund. Any violation of this act or the board's  
18 regulations for governing activity occurring under the authority  
19 of this permit may be the basis for the issuance of a citation  
20 under section 471, the nonrenewal of the license under section  
21 470 or the refusal by the board to issue subsequent permits or  
22 honor subsequent dates on the existing permit. This penalty  
23 shall be in addition to any other remedies available to the  
24 enforcement bureau or the board.

25 \* \* \*

26 Section ~~2~~ 4. This act shall take effect ~~in 60 days~~ <--  
27 IMMEDIATELY. <--