
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1543 Session of
2017

INTRODUCED BY SCHWEYER, SCHLOSSBERG AND FREEMAN, JUNE 13, 2017

REFERRED TO COMMITTEE ON LIQUOR CONTROL, JUNE 13, 2017

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," in
17 preliminary provisions, further defining "alcoholic cider"
18 and "public venue."

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

21 Section 1. The definitions of "alcoholic cider" and "public
22 venue" in section 102 of the act of April 12, 1951 (P.L.90,
23 No.21), known as the Liquor Code, amended November 15, 2016
24 (P.L.1286, No.166), are amended to read:

25 Section 102. Definitions.--The following words or phrases,
26 unless the context clearly indicates otherwise, shall have the

1 meanings ascribed to them in this section:

2 * * *

3 "Alcoholic cider" shall mean a beverage which may contain
4 carbonation in an amount not to exceed six and four tenths grams
5 per liter, produced through alcoholic fermentation [of any fruit
6 or fruit juice], which is primarily derived from apples, apple
7 juice concentrate and water, pears or pear juice concentrate and
8 water, consisting of at least one-half of one per centum, but
9 not greater than eight and one-half per centum, alcohol by
10 volume and sold or offered for sale as alcoholic cider and not
11 as a wine, a wine product or as a substitute for wine, in
12 bottles, cases, kegs, cans or other suitable containers of the
13 type used for the sale of malt or brewed beverages in this
14 Commonwealth.

15 * * *

16 "Public venue" shall mean a stadium, arena, convention
17 center, museum, zoo, amphitheater or similar structure. If the
18 public venue is a cruise terminal owned or leased by a port
19 authority created under the act of June 12, 1931 (P.L.575,
20 No.200), entitled "An act providing for joint action by
21 Pennsylvania and New Jersey in the development of the ports on
22 the lower Delaware River, and the improvement of the facilities
23 for transportation across the river; authorizing the Governor,
24 for these purposes, to enter into an agreement with New Jersey;
25 creating The Delaware River Joint Commission and specifying the
26 powers and duties thereof, including the power to finance
27 projects by the issuance of revenue bonds; transferring to the
28 new commission all the powers of the Delaware River Bridge Joint
29 Commission; and making an appropriation," it shall have no
30 permanent seating requirement. If the public venue is an open-

1 air amphitheater owned by a port authority created under the act
2 of December 6, 1972 (P.L.1392, No.298), known as the "Third
3 Class City Port Authority Act," it shall have no permanent
4 seating requirement. If the public venue is owned by a political
5 subdivision, a municipal authority, the Commonwealth, an
6 authority created under the act of July 29, 1953 (P.L.1034,
7 No.270), known as the "Public Auditorium Authorities Law," an
8 authority created under Article XXV-A of the act of July 28,
9 1953 (P.L.723, No.230), known as the "Second Class County Code,"
10 an art museum established under the authority of the act of
11 April 6, 1791 (3 Sm.L.20, No.1536), entitled "An act to confer
12 on certain associations of the citizens of this commonwealth the
13 powers and immunities of corporations, or bodies politic in
14 law," [or] an authority created under Article XXIII (n) or (o)
15 of the act of August 9, 1955 (P.L.323, No.130), known as "The
16 County Code," or it is located in a neighborhood improvement
17 zone created under Article XIX-B of the act of March 4, 1971
18 (P.L.6, No.2), known as the "Tax Reform Code of 1971," located
19 in a city of the third class, it shall have permanent seating
20 for at least one thousand (1,000) people; otherwise, it shall
21 have permanent seating for at least two thousand (2,000) people.
22 The term shall also mean any regional history center,
23 multipurpose cultural and science facility, museum or convention
24 or trade show center, regardless of owner and seating capacity,
25 that has a floor area of at least sixty thousand (60,000) square
26 feet in one building. The term shall also mean a convention or
27 conference center owned by a city of the third class or a
28 university which is a member of the Pennsylvania State System of
29 Higher Education which is operated by a university foundation or
30 alumni association, regardless of seating capacity, that has a

1 floor area of at least fifteen thousand (15,000) square feet in
2 one building. The term shall also mean a visitor center,
3 regardless of floor area or seating capacity, that was
4 established under the authority of the Gateway Visitor Center
5 Authorization Act of 1999 (Public Law 106-131, 113 Stat. 1678,
6 16 U.S.C. § 407m).

7 * * *

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