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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1576 Session of  
2019

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INTRODUCED BY KENYATTA, MILLARD, HILL-EVANS, MOUL, HOWARD,  
FRANKEL AND FREEMAN, JUNE 4, 2019

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REFERRED TO COMMITTEE ON LIQUOR CONTROL, JUNE 4, 2019

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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 providing for definitions;  
18 and, in licenses and regulations and liquor, alcohol and malt  
19 and brewed beverages, further providing for performing arts  
20 facility license.

21 The General Assembly of the Commonwealth of Pennsylvania  
22 hereby enacts as follows:

23 Section 1. The definition of "performing arts facilities" in  
24 section 102 of the act of April 12, 1951 (P.L.90, No.21), known  
25 as the Liquor Code, is amended to read:

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

1 meanings ascribed to them in this section:

2 \* \* \*

3 "Performing arts facilities" shall mean [those] any of the  
4 following:

5 (1) Those halls or theaters in which live musical, concert,  
6 dance, ballet and legitimate play book-length productions are  
7 performed. Performing arts facilities shall not mean those halls  
8 or theaters in which burlesque shows or reviews are performed.  
9 If the operator of the performing arts facility is a nonprofit  
10 entity, the facility must have seating for at least one hundred  
11 fifty (150) people; otherwise, the facility must have seating  
12 for at least twenty-five hundred (2,500) people.

13 (2) Small movie theaters that have permanent seating in the  
14 facility for at least one hundred (100) people, but no more than  
15 three hundred fifty (350) people, and which primarily screen  
16 independent films, classic films and second-run films on no more  
17 than four movie screens. As used in this definition, the term  
18 "independent films" includes feature films produced outside the  
19 major film studio system or by independent entertainment  
20 agencies.

21 (3) A hall or theater that meets the requirements of  
22 paragraphs (1) and (2).

23 \* \* \*

24 Section 2. Section 413(f)(1) of the act is amended to read:

25 Section 413. Performing Arts Facility License.--\* \* \*

26 (f) Licenses issued under this section are to be considered  
27 restaurant liquor licenses. However, the following additional  
28 restrictions and privileges apply:

29 (1) Sales of liquor and malt or brewed beverages may be made  
30 two hours before, during and one hour after any performance at

1 the facility; however, sales may not be made from two o'clock  
2 antemeridian to seven o'clock antemeridian. In addition, sales  
3 may not occur prior to one o'clock postmeridian or after ten  
4 o'clock postmeridian on Sundays. However, facilities that had  
5 been licensed under former section 408.3(a) and 408.3(a.2) may  
6 sell liquor and malt or brewed beverages anytime except from two  
7 o'clock antemeridian to seven o'clock antemeridian or prior to  
8 one o'clock postmeridian or after ten o'clock postmeridian on  
9 Sundays, regardless of whether there is a performance at the  
10 facility. Sales of liquor and malt or brewed beverages at a  
11 movie theater as defined under paragraph (2) or (3) of the  
12 definition of "performing arts facilities" in section 102 may be  
13 made one hour before, during and one hour after the screening of  
14 any film at the movie theater.

15 \* \* \*

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