
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1617 Session of
2019

INTRODUCED BY STAATS, CAUSER, ROTHMAN, YOUNGBLOOD, STEPHENS,
DOWLING, RADER, JAMES, PYLE, OTTEN, MALAGARI, EVERETT,
MACKENZIE, SAINATO, GAYDOS, JOZWIAK, FARRY, IRVIN AND
STRUZZI, JUNE 11, 2019

REFERRED TO COMMITTEE ON LIQUOR CONTROL, JUNE 11, 2019

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 general provisions applying to both liquor and malt and
18 brewed beverages, further providing for limiting number of
19 retail licenses to be issued in each county.

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

22 Section 1. Section 461(c) of the act of April 12, 1951
23 (P.L.90, No.21), known as the Liquor Code, is amended by adding
24 a clause to read:

25 Section 461. Limiting Number of Retail Licenses To Be Issued

1 In Each County.--* * *

2 (c) The word "hotel" as used in this section shall mean any
3 reputable place operated by a responsible person of good
4 reputation where the public may, for a consideration, obtain
5 sleeping accommodations, and which shall have the following
6 number of bedrooms and requirements in each case--at least one-
7 half of the required number of bedrooms shall be regularly
8 available to transient guests seven days weekly, except in
9 resort areas; at least one-third of such bedrooms shall be
10 equipped with hot and cold water, a lavatory, commode, bathtub
11 or shower and a clothes closet; and an additional one-third of
12 the total of such required rooms shall be equipped with lavatory
13 and commode:

14 * * *

15 (9.2) For two years after the effective date of this clause,
16 upon application to the board and payment of a fee of twenty-
17 five thousand dollars (\$25,000) by a hotel licensee, the board
18 shall convert a hotel license under clause (8) of this
19 subsection for a hotel licensee that applied for an exemption
20 under clause (9) or (9.1) of this subsection before January 1,
21 2019, to a restaurant license without regard to the quota
22 restrictions set forth in subsection (a). This clause shall not
23 apply to a hotel license with a pending objection by the
24 director of the Bureau of Licensing or the board under section
25 470(a.1) until the application for renewal of the hotel license
26 is approved. This clause shall not apply to hotel licenses in a
27 city of the first class. An application to transfer a restaurant
28 license that was converted from a hotel license under this
29 clause in accordance with section 404 within five years after
30 the board received the application for the restaurant license

1 shall be subject to a fee of twenty-five per centum (25%) or
2 twenty-five thousand dollars (\$25,000), whichever is greater, of
3 the transactional cost for the transfer of the restaurant
4 license.

5 * * *

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