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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2526 Session of  
2020

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INTRODUCED BY ORTITAY, MIZGORSKI, ECKER, TOEPEL, MIHALEK,  
STRUZZI, BERNSTINE, O'NEAL, JAMES, MENTZER AND READSHAW,  
MAY 14, 2020

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REFERRED TO COMMITTEE ON LIQUOR CONTROL, MAY 14, 2020

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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 Pennsylvania liquor stores, further providing for sales by  
18 Pennsylvania liquor stores.

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

21 Section 1. Section 305 of the act of April 12, 1951 (P.L.90,  
22 No.21), known as the Liquor Code, is amended by adding a  
23 subsection to read:

24 Section 305. Sales by Pennsylvania Liquor Stores.--\* \* \*

25 (g.1) The following shall apply:

1 (1) The board shall contract with a vendor to operate,  
2 maintain and oversee the online store through the Commonwealth  
3 bidding process. The vendor:

4 (i) shall:

5 (A) operate the online store in consultation with the board  
6 to ensure continuity with brick and mortar stores, as well as  
7 operation under the same privileges and restrictions contained  
8 in this section;

9 (B) operate, maintain and manage fulfillment centers in  
10 order to provide delivery of any product ordered through the  
11 online store; and

12 (C) be a transporter for hire licensee and may further  
13 utilize any transporter for hire licensee it deems necessary for  
14 delivery of product; and

15 (ii) may hire any employe to ensure successful operation of  
16 the online store and fulfillment center and is not subject to  
17 section 302.

18 (2) The limitations under subsection (g) shall not apply to  
19 the board's online store, unless a vendor operating the online  
20 store determines the measures are necessary for equitable sale  
21 and distribution.

22 \* \* \*

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