
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 719 Session of
2019

INTRODUCED BY SANTARSIERO, FARNESE, BLAKE, COSTA AND KEARNEY,
JUNE 6, 2019

REFERRED TO LAW AND JUSTICE, JUNE 6, 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 licenses and regulations and liquor, alcohol and malt and
18 brewed beverages, further providing for local option.

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

21 Section 1. Section 472(a) of the act of April 12, 1951
22 (P.L.90, No.21), known as the Liquor Code, is amended to read:

23 Section 472. Local Option.--(a) In any municipality or any
24 part of a municipality where such municipality is split so that
25 each part thereof is separated by another municipality, an
26 election may be held, subject to subsection (c), not oftener

1 than once in four years, to determine the will of the electors
2 with respect to the granting of liquor licenses to hotels,
3 restaurants, resort facilities and clubs, not oftener than once
4 in four years, to determine the will of the electors with
5 respect to the granting of liquor licenses to public venues, to
6 performing arts facilities, to continuing care retirement
7 communities, to hotels located on property owned by an
8 accredited college or university, to privately-owned private
9 golf courses or to privately-owned public golf courses, not
10 oftener than once in four years, to determine the will of the
11 electors with respect to the granting of licenses to retail
12 dispensers of malt and brewed beverages, not oftener than once
13 in four years, to determine the will of the electors with
14 respect to granting of licenses to wholesale distributors and
15 importing distributors, not more than once in two years, to
16 determine the will of the electors with respect to the granting
17 of club liquor licenses or club retail dispenser licenses to
18 incorporated units of national veterans' organizations, not
19 oftener than once in two years to determine the will of the
20 electors with respect to the granting of special occasion
21 permits to qualified organizations, not more than once in four
22 years, to determine the will of the electors with respect to the
23 establishment, operation and maintenance by the board of
24 Pennsylvania liquor stores, within the limits of such
25 municipality or part of a split municipality, or not more than
26 once in two years, to determine the will of the electors with
27 respect to the granting of liquor licenses to ski resort
28 facilities, under the provisions of this act: Provided, That an
29 election on the question of establishing and operating a State
30 liquor store shall be initiated only in those municipalities, or

1 that part of a split municipality that shall have voted against
2 the granting of liquor licenses; and that an election on the
3 question of granting wholesale distributor and importing
4 distributor licenses shall be initiated only in those
5 municipalities or parts of split municipalities that shall have
6 at a previous election voted against the granting of dispenser's
7 licenses. [Whenever] Except for municipality or part of a split
8 municipality located in a county of the second class A, whenever
9 electors equal to at least twenty-five per centum of the highest
10 vote cast for any office in the municipality or part of a split
11 municipality at the last preceding general election shall file a
12 petition with the county board of elections of the county for a
13 referendum on the question of granting any of said classes of
14 licenses or the establishment of Pennsylvania liquor stores, the
15 said county board of elections shall cause a question to be
16 placed on the ballots or on the voting machine board and
17 submitted at any election. In a county of the second class A,
18 whenever electors equal to at least twenty-five per centum of
19 the highest vote cast for any office in a municipality or part
20 of a split municipality at the last preceding general election,
21 or whenever five hundred electors of a municipality or part of a
22 split municipality, whichever is less, sign a petition for a
23 referendum on the question of granting any of the said classes
24 of licenses or the establishment of Pennsylvania liquor stores
25 and file the petition with the county board of elections, the
26 said county board of elections shall cause a question to be
27 placed on the ballots or on the voting machine board and
28 submitted at any election. Separate petitions must be filed for
29 each question to be voted on. Said proceedings shall be in the
30 manner and subject to the provisions of the election laws which

1 relate to the signing, filing and adjudication of nomination
2 petitions, insofar as such provisions are applicable.

3 When the question is in respect to the granting of liquor
4 licenses, it shall be in the following form:

5 Do you favor the granting of liquor licenses for the
6 sale of liquor in..... Yes
7 of.....? No

8 When the question is in respect to the granting of liquor
9 licenses to resort facilities in those municipalities that do
10 not already allow the retail sale of liquor, it shall be in the
11 following form:

12 Do you favor the granting of liquor licenses to resort
13 facilities for the sale of liquor in the..... Yes
14 of.....? No

15 When the question is in respect to the granting of liquor
16 licenses to ski resorts in those municipalities that do not
17 already allow the retail sale of liquor, it shall be in the
18 following form:

19 Do you favor the granting of liquor licenses to ski
20 resort facilities for the sale of liquor in the Yes
21of? No

22 When the question is in respect to the granting of restaurant
23 liquor licenses for use at public venues in those municipalities
24 that do not already allow the retail sale of liquor, it shall be
25 in the following form:

26 Do you favor the granting of liquor licenses to public
27 venues for the sale of liquor in the..... Yes
28 of.....? No

29 When the question is in respect to the granting of restaurant
30 liquor licenses for use at performing arts facilities in those

1 municipalities that do not already allow the retail sale of
2 alcohol, it shall be in the following form:

3 Do you favor the granting of liquor licenses to
4 performing arts facilities for the sale of liquor in
5 the..... Yes
6 of.....? No

7 When the question is in respect to the granting of liquor
8 licenses for hotels located on property owned by an accredited
9 college or university in those municipalities that do not
10 already allow the granting of liquor licenses, it shall be in
11 the following form:

12 Do you favor the granting of liquor licenses to hotels
13 on property owned by an accredited college or
14 university in the..... Yes
15 of.....? No

16 When the question is in respect to the granting of liquor
17 licenses, for privately-owned private golf courses, it shall be
18 in the following form:

19 Do you favor the granting of liquor licenses for
20 privately-owned private golf courses for the sale of
21 liquor in.....by..... Yes
22 of.....? No

23 When the question is in respect to the granting of liquor
24 licenses, for privately-owned public golf courses, it shall be
25 in the following form:

26 Do you favor the granting of liquor licenses for
27 privately-owned public golf courses for the sale of
28 liquor in.....by..... Yes
29 of.....? No

30 When the question is in respect to the granting of liquor

1 licenses to continuing care retirement communities in those
2 municipalities that have not already approved the granting of
3 liquor licenses, it shall be in the following form:

4 Do you favor the granting of liquor licenses for
5 continuing care retirement communities
6 in.....by..... Yes
7 of.....? No

8 When the question is in respect to the granting of licenses
9 to retail dispensers of malt and brewed beverages, it shall be
10 in the following form:

11 Do you favor the granting of malt and brewed beverage
12 retail dispenser licenses for consumption on premises
13 where sold in the..... Yes
14 of.....? No

15 When the question is in respect to the granting of licenses
16 to wholesale distributors of malt or brewed beverages and
17 importing distributors, it shall be in the following form:

18 Do you favor the granting of malt and brewed beverage
19 wholesale distributor's and importing distributor's
20 licenses not for consumption on premises where sold in
21 the..... Yes
22 of.....? No

23 When the question is in respect to the granting of club
24 liquor licenses to incorporated units of national veterans'
25 organizations, it shall be in the following form:

26 Do you favor the granting of club liquor licenses to
27 incorporated units of national veterans' organizations
28 in the..... Yes
29 of.....? No

30 When the question is in respect to the granting of club

1 retail dispenser licenses to incorporated units of national
2 veterans' organizations, it shall be in the following form:

3 Do you favor the granting of club retail dispenser
4 licenses to incorporated units of national veterans'
5 organizations in the..... Yes
6 of.....? No

7 When the question is in respect to the granting of special
8 occasion permits allowing the sale of liquor by qualified
9 organizations in municipalities that do not already allow the
10 retail sale of liquor, it shall be in the following form:

11 Do you favor the granting of special occasion permits
12 to allow the sale of liquor by qualified organizations
13 in the..... Yes
14 of.....? No

15 When the question is in respect to the granting of special
16 occasion permits allowing the sale of malt or brewed beverages
17 only by qualified organizations in municipalities that do not
18 already allow the retail sale of malt or brewed beverages, it
19 shall be in the following form:

20 Do you favor the granting of special occasion permits
21 to allow the sale of malt or brewed beverages only by
22 qualified organizations in the..... Yes
23 of.....? No

24 When the question is in respect to the establishment,
25 operation and maintenance of Pennsylvania liquor stores it shall
26 be in the following form:

27 Do you favor the establishment, operation and
28 maintenance of Pennsylvania liquor stores in
29 the..... Yes
30 of.....? No

1 When the question is in respect to the granting of liquor
2 licenses to an airport authority in those municipalities that do
3 not already allow the retail sale of liquor, it shall be in the
4 following form:

5 Do you favor the granting of liquor licenses to an
6 airport authority for the sale of liquor in
7 the..... Yes
8 of.....? No

9 In case of a tie vote, the status quo shall obtain. If a
10 majority of the voting electors on any such question vote "yes,"
11 then liquor licenses shall be granted by the board to hotels,
12 restaurants, ski resorts, resort facilities and clubs, or liquor
13 licenses shall be granted by the board to public venues, to
14 performing arts facilities, to continuing care retirement
15 communities, to hotels located on property owned by an
16 accredited college or university, to privately-owned private
17 golf courses or to privately-owned public golf courses, or malt
18 and brewed beverage retail dispenser licenses or wholesale
19 distributor's and importing distributor's license for the sale
20 of malt or brewed beverages shall be granted by the board, or
21 club liquor licenses or club retail dispenser licenses shall be
22 granted by the board to incorporated units of national veterans'
23 organizations, or special occasion permits may be issued to
24 qualified organizations, or the board may establish, operate and
25 maintain Pennsylvania liquor stores, as the case may be, in such
26 municipality or part of a split municipality, as provided by
27 this act; but if a majority of the electors voting on any such
28 question vote "no," then the board shall have no power to grant
29 or to renew upon their expiration any licenses of the class so
30 voted upon in such municipality or part of a split municipality;

1 or if the negative vote is on the question in respect to the
2 establishment, operation and maintenance of Pennsylvania liquor
3 stores, the board shall not open and operate a Pennsylvania
4 liquor store in such municipality or part of a split
5 municipality, nor continue to operate a then existing
6 Pennsylvania liquor store in the municipality or part of a split
7 municipality for more than two years thereafter or after the
8 expiration of the term of the lease on the premises occupied by
9 such store, whichever period is less, unless and until at a
10 later election a majority of the voting electors vote "yes" on
11 such question.

12 * * *

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