

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 344 Session of 2021

INTRODUCED BY N. NELSON, SANCHEZ, HILL-EVANS, FREEMAN, CIRESI, SCHLOSSBERG, KINSEY, D. WILLIAMS, GUENST, GALLOWAY, ZABEL, McNEILL, HOHENSTEIN, ISAACSON, WEBSTER, DRISCOLL, PISCIOTTANO, SAINATO, LEE, INNAMORATO, GAYDOS, A. DAVIS AND GLEIM, JANUARY 29, 2021

REFERRED TO COMMITTEE ON LIQUOR CONTROL, JANUARY 29, 2021

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 licensed places may
 19 be closed during period of emergency.

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

22 Section 1. Section 462 of the act of April 12, 1951 (P.L.90,
 23 No.21), known as the Liquor Code, is amended to read:

24 Section 462. Licensed Places May Be Closed During Period of
 25 Emergency.--(a) The board may, with the approval of the

1 Governor[,]

2 (a)]:

3 (1) Temporarily close all licensed places within any
4 municipality during any period of emergency proclaimed to be
5 such by the Governor.

6 [(b)] (2) Advance by one hour the hours prescribed in this
7 act as the hours during which liquor and malt or brewed
8 beverages may be sold in any municipality during such part of
9 the year when daylight saving time may be observed generally in
10 such municipality.

11 (b) Notwithstanding any other provision of this act, in
12 addition to the authority specified in subsection (a), during
13 the proclamation of disaster emergency issued by the Governor on
14 March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020), and
15 any renewal of the state of disaster emergency, the following
16 shall apply:

17 (1) The board may issue an unlimited number of off-premises
18 catering permits to entities that qualify for the permits under
19 this act.

20 (2) No application fee shall be required from an entity
21 requesting a catering permit under this subsection.

22 (3) An application for a catering permit under this
23 subsection does not need to be submitted prior to March 1 of
24 that calendar year.

25 (4) The five-hour limit on catered events shall not apply to
26 a catering permit under this subsection, but all the other
27 requirements for catered events not specifically waived under
28 this subsection shall continue to apply.

29 (5) The authority of the board to issue permits under this
30 subsection and the authority to hold a catered event pursuant to

1 a permit under this subsection shall expire upon the termination
2 or expiration of the state of disaster emergency under 35
3 Pa.C.S. § 7301(c) (relating to general authority of Governor).

4 Section 2. This act shall take effect immediately.