

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1252 Session of
2023

INTRODUCED BY BENHAM, MADDEN, SANCHEZ, HILL-EVANS, SIEGEL,
DEASY, CONKLIN AND GREEN, MAY 24, 2023

REFERRED TO COMMITTEE ON LIQUOR CONTROL, MAY 24, 2023

AN ACT

1 Amending the act of June 9, 1936 (Sp.Sess.1, P.L.13, No.4),
2 entitled "An act imposing an emergency State tax on liquor,
3 as herein defined, sold by the Pennsylvania Liquor Control
4 Board; providing for the collection and payment of such tax;
5 and imposing duties upon the Department of Revenue and the
6 Pennsylvania Liquor Control Board," further providing for
7 emergency tax on liquors and amount of tax and collection.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 2 of the act of June 9, 1936 (Sp.Sess.1,
11 P.L.13, No.4), entitled "An act imposing an emergency State tax
12 on liquor, as herein defined, sold by the Pennsylvania Liquor
13 Control Board; providing for the collection and payment of such
14 tax; and imposing duties upon the Department of Revenue and the
15 Pennsylvania Liquor Control Board," is amended to read:

16 Section 2. (a) An emergency State tax is hereby imposed and
17 assessed at the rate of eighteen per centum of the net price of
18 all liquors sold by the board. The tax herein imposed shall be
19 collected by the board from the purchasers of the liquor from
20 the board. [The] Except as provided under subsection (b), the

1 amount of such eighteen per centum so collected by the board,
2 under the provisions of this act, shall be paid into the State
3 Treasury, through the department, in the manner and within the
4 times herein specified, and shall be credited to the General
5 Fund.

6 (b) On February 1 of each calendar year, the board shall
7 retain an amount equal to one per centum of the money collected
8 under subsection (a) during the preceding calendar year. The
9 following shall apply:

10 (1) The board may award the amount retained under this
11 subsection to establish a program to provide grants to saturated
12 municipalities to address health, welfare and safety issues
13 associated with the sale and distribution of alcohol.

14 (2) To qualify for a grant under the program, a saturated
15 municipality shall have a municipal police department.

16 (3) The board may use an amount equal to two per centum of
17 the amount awarded in grants under the program for expenses
18 associated with administrating the program.

19 (4) Money retained under this subsection that is not used
20 for awarding grants under the program or to pay for expenses
21 associated with administering the program shall be made
22 available for grants under the program in subsequent calendar
23 years.

24 (5) As used in this subsection, the term "saturated
25 municipality" means a municipality in which the total number of
26 existing restaurant liquor licenses and eating place retail
27 dispenser licenses subject to the quota restrictions specified
28 under section 461 of the act of April 12, 1951 (P.L.90, No.21),
29 known as the Liquor Code, is equal to or exceeds one license per
30 thousand inhabitants or exceeds ten.

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