

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 882 Session of 2023

INTRODUCED BY J. WARD, ROTHMAN, PHILLIPS-HILL, STEFANO AND
K. WARD, AUGUST 1, 2023

REFERRED TO LAW AND JUSTICE, AUGUST 1, 2023

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

23 Section 305. Sales by Pennsylvania Liquor Stores.--* * *

24 (a.1) The board may refuse to process a special order and
25 preclude a vendor or importer from processing a special order,
26 if it appears that the special order is for an item

1 substantially similar to an item that is on the monthly list the
2 board publishes under section 488(c) [or if the board believes
3 that demand for the item is such that it should be made
4 available generally.] and the cumulative number of bottles of
5 the item processed through special order exceeds seventy-two
6 thousand on an annual basis, calculated January 1 through
7 December 31. If the processing of a special order is refused or
8 precluded under this subsection, the item shall be made
9 available through the board in the amount and manner the board
10 deems appropriate.

11 * * *

12 Section 2. The amendment of section 305(a.1) of the act
13 shall apply retroactively to January 1, 2023.

14 Section 3. This act shall take effect immediately.