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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1049 Session of  
2023

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INTRODUCED BY DELOZIER, HEFFLEY, JAMES, JOZWIAK, ROWE, SMITH AND  
STAATS, APRIL 28, 2023

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REFERRED TO COMMITTEE ON LIQUOR CONTROL, APRIL 28, 2023

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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 licenses and regulations and liquor, alcohol and malt and  
18 brewed beverages, further providing for unlawful acts  
19 relative to liquor, malt and brewed beverages and licensees.

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

22 Section 1. Section 493(13) of the act of April 12, 1951  
23 (P.L.90, No.21), known as the Liquor Code, is amended to read:

24 Section 493. Unlawful Acts Relative to Liquor, Malt and  
25 Brewed Beverages and Licensees.--The term "licensee," when used  
26 in this section, shall mean those persons licensed under the

1 provisions of Article IV, unless the context clearly indicates  
2 otherwise.

3 It shall be unlawful--

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5 (13) Retail Licensees Employing Minors. For any hotel,  
6 restaurant or club liquor licensee, or any retail dispenser, to  
7 employ or to permit any minor under the age of eighteen to serve  
8 any alcoholic beverages or to employ or permit any minor under  
9 the age of sixteen to render any service whatever in the  
10 licensed premises, nor shall any entertainer under the age of  
11 eighteen be employed or permitted to perform in any licensed  
12 premises in violation of the labor laws of this Commonwealth:  
13 Provided, That in accordance with board regulations minors  
14 between the ages of sixteen and eighteen may be employed to  
15 serve food, clear tables and perform other similar duties, not  
16 to include the dispensing or serving of alcoholic beverages. A  
17 ski resort, golf course or amusement park licensee may employ  
18 minors fourteen and fifteen years of age to perform duties in  
19 rooms or areas of the licensed premises; however, such minors  
20 may not perform duties in rooms or areas in which alcohol is  
21 being concurrently dispensed or served or in which alcohol is  
22 being concurrently stored in an unsecured manner.  
23 Notwithstanding any provisions of law to the contrary, a hotel,  
24 restaurant or club liquor licensee or any retail dispenser may  
25 allow students receiving instruction in a performing art to  
26 perform an exhibition if the students are not compensated and  
27 are under proper supervision. Written notice of the performance  
28 must be provided to the enforcement bureau prior to the  
29 performance. Notwithstanding any provision of law to the  
30 contrary, a hotel, restaurant or club licensee may permit a

1 minor of any age to perform music if the minor is not  
2 compensated and the minor is under the supervision of a parent  
3 or guardian.

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