

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 327 Session of 2019

INTRODUCED BY WARREN, HILL-EVANS, KORTZ, CALTAGIRONE AND FREEMAN, FEBRUARY 1, 2019

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES, APRIL 29, 2020

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 preliminary provisions, further providing for definitions;
18 and, in licenses and regulations, liquor, alcohol and malt
19 and brewed beverages, providing for prepared beverages and
20 mixed drinks for off-premises consumption during disaster
21 emergency AND REENACTING PROVISIONS RELATING TO LOCAL OPTION. <--

22 The General Assembly of the Commonwealth of Pennsylvania

23 hereby enacts as follows:

24 Section 1. Section 102 of the act of April 12, 1951 (P.L.90,
25 No.21), known as the Liquor Code, is amended by adding
26 definitions to read:

27 Section 102. Definitions.--The following words or phrases,

1 unless the context clearly indicates otherwise, shall have the  
2 meanings ascribed to them in this section:

3 \* \* \*

4 "Prepared beverage and mixed drink" shall mean a sealed  
5 container of no less than four fluid ounces and no greater than  
6 sixty-four fluid ounces in a single transaction that holds  
7 spirits and mixers that are combined on a licensed premises.

8 \* \* \*

9 "Sealed container" shall mean a packaged container with a  
10 secure lid or cap designed to prevent consumption without  
11 removal of the lid or cap. A lid with sipping holes or opening  
12 for straws must be covered or affixed with an additional seal  
13 before sale.

14 \* \* \*

15 Section 2. The act is amended by adding a section to read:

16 Section 417. Prepared Beverages and Mixed Drinks for Off-  
17 Premises Consumption During Disaster Emergency.--(a) The  
18 following shall apply:

19 (1) Notwithstanding any provision of this act, a person  
20 holding and possessing a valid restaurant or hotel liquor  
21 license that lost more than twenty-five per centum (25%) of the  
22 person's average monthly total sales, including alcohol sales,  
23 as a result of restrictions imposed during the COVID-19 disaster  
24 emergency may sell prepared beverages and mixed drinks for off-  
25 premises consumption where meals prepared for pick-up or  
26 curbside pick-up are also available.

27 (2) Except as provided in this paragraph and paragraph (4),  
28 nothing in this section shall affect the ability of a licensee  
29 to operate within the scope of its current license as authorized  
30 by this act, provided, however, that no sales of prepared

1 beverages and mixed drinks for off-premises consumption shall  
2 take place after eleven o'clock postmeridian of any day until  
3 the licensee's permitted hours of operation under section 406 of  
4 the next day, including Sundays if the licensee has a permit  
5 authorized under sections 406(a)(3) and 432(f).

6 (3) The following licensees are prohibited from selling  
7 prepared beverages and mixed drinks for off-premises consumption  
8 under this section:

9 (i) A licensee whose underlying license is subject to a  
10 pending objection by the director of the Bureau of Licensing or  
11 the board under section 470(a.1), until the matter is decided.

12 (ii) A licensee whose underlying license has been suspended  
13 under section 1799.6-E of the act of April 9, 1929 (P.L.343,  
14 No.176), known as "The Fiscal Code."

15 (4) For purposes of selling prepared beverages and mixed  
16 drinks for off-premises consumption, a licensed premises shall  
17 not be subject to section 493(14).

18 (5) Withing sixty (60) days of the effective date of this  
19 section, a licensee selling prepared beverages and mixed drinks  
20 for off-premises consumption shall begin utilizing a transaction  
21 scan device to verify the age of an individual who appears to be  
22 under thirty-five (35) years of age before making a sale of  
23 prepared beverages and mixed drinks for off-premises  
24 consumption. A licensee may not sell or share consumers'  
25 personal data from the use of a transaction scan device,  
26 provided that the licensee may share the data with the  
27 enforcement bureau of the board as evidence that the licensee is  
28 in compliance with this paragraph.

29 (6) A licensee selling prepared beverages or mixed drinks  
30 for off-premise consumption shall prominently post a warning

1 sign in a manner that puts consumers on notice of the  
2 restrictions on alcoholic beverages under 75 Pa.C.S. § 3809  
3 (relating to restriction on alcoholic beverages), and that the  
4 prepared beverages and mixed drinks packaged for sale by the  
5 licensee are open containers and may only be transported by the  
6 driver of a motor vehicle in the vehicle's trunk or in some  
7 other area of the vehicle that is not occupied by the driver or  
8 passengers.

9 (b) Notwithstanding any other provision of this section or  
10 provision of law to the contrary, a licensee selling prepared  
11 beverages and mixed drinks for off-premises consumption may only  
12 do so during the COVID-19 disaster emergency and during the  
13 mitigation period after the termination of the disaster  
14 emergency in which a licensee is operating at less than sixty  
15 per centum (60%) capacity.

16 (c) A licensee may sell liquor to another licensee qualified  
17 to sell prepared beverages and mixed drinks under this section.  
18 The licensee shall notify the board in writing advising it of  
19 the name of the licensee and identifying any product sold to  
20 that licensee, as well as the description of the liquor,  
21 including brand names, sizes and numbers of containers sold to  
22 another licensee. The sales may only occur during the COVID-19  
23 disaster emergency and during the mitigation period after the  
24 termination of the disaster emergency in which a licensee is  
25 operating at less than sixty per centum (60%) capacity.

26 (d) As used in this section, the following words and phrases  
27 shall have the meanings given to them in this subsection unless  
28 the context clearly indicates otherwise:

29 "COVID-19 disaster emergency" shall mean the proclamation of  
30 disaster emergency issued by the Governor on March 6, 2020,

1 published at 50 Pa.B. 1644 (March 21, 2020), and any renewal of  
2 the state of disaster emergency.

3 "Licensee" shall mean a person holding and possessing a valid  
4 restaurant or hotel liquor license authorized to sell prepared  
5 beverages or mixed drinks for off-premise consumption under  
6 subsection (a)(1).

7 "Transaction scan device" shall mean a device capable of  
8 deciphering, in an electronically readable format, the  
9 information encoded on the magnetic strip, chip or bar code of  
10 an identification card under section 495(a).

11 SECTION 3. SECTION 472(A) OF THE ACT IS REENACTED TO READ: <--

12 SECTION 472. LOCAL OPTION.--(A) IN ANY MUNICIPALITY OR ANY  
13 PART OF A MUNICIPALITY WHERE SUCH MUNICIPALITY IS SPLIT SO THAT  
14 EACH PART THEREOF IS SEPARATED BY ANOTHER MUNICIPALITY, AN  
15 ELECTION MAY BE HELD, SUBJECT TO SUBSECTION (C), NOT OFTENER  
16 THAN ONCE IN FOUR YEARS, TO DETERMINE THE WILL OF THE ELECTORS  
17 WITH RESPECT TO THE GRANTING OF LIQUOR LICENSES TO HOTELS,  
18 RESTAURANTS, RESORT FACILITIES AND CLUBS, NOT OFTENER THAN ONCE  
19 IN FOUR YEARS, TO DETERMINE THE WILL OF THE ELECTORS WITH  
20 RESPECT TO THE GRANTING OF LIQUOR LICENSES TO PUBLIC VENUES, TO  
21 PERFORMING ARTS FACILITIES, TO CONTINUING CARE RETIREMENT  
22 COMMUNITIES, TO HOTELS LOCATED ON PROPERTY OWNED BY AN  
23 ACCREDITED COLLEGE OR UNIVERSITY, TO PRIVATELY-OWNED PRIVATE  
24 GOLF COURSES OR TO PRIVATELY-OWNED PUBLIC GOLF COURSES, NOT  
25 OFTENER THAN ONCE IN FOUR YEARS, TO DETERMINE THE WILL OF THE  
26 ELECTORS WITH RESPECT TO THE GRANTING OF LICENSES TO RETAIL  
27 DISPENSERS OF MALT AND BREWED BEVERAGES, NOT OFTENER THAN ONCE  
28 IN FOUR YEARS, TO DETERMINE THE WILL OF THE ELECTORS WITH  
29 RESPECT TO GRANTING OF LICENSES TO WHOLESALE DISTRIBUTORS AND  
30 IMPORTING DISTRIBUTORS, NOT MORE THAN ONCE IN TWO YEARS, TO

1 DETERMINE THE WILL OF THE ELECTORS WITH RESPECT TO THE GRANTING  
2 OF CLUB LIQUOR LICENSES OR CLUB RETAIL DISPENSER LICENSES TO  
3 INCORPORATED UNITS OF NATIONAL VETERANS' ORGANIZATIONS, NOT  
4 OFTENER THAN ONCE IN TWO YEARS TO DETERMINE THE WILL OF THE  
5 ELECTORS WITH RESPECT TO THE GRANTING OF SPECIAL OCCASION  
6 PERMITS TO QUALIFIED ORGANIZATIONS, NOT MORE THAN ONCE IN FOUR  
7 YEARS, TO DETERMINE THE WILL OF THE ELECTORS WITH RESPECT TO THE  
8 ESTABLISHMENT, OPERATION AND MAINTENANCE BY THE BOARD OF  
9 PENNSYLVANIA LIQUOR STORES, WITHIN THE LIMITS OF SUCH  
10 MUNICIPALITY OR PART OF A SPLIT MUNICIPALITY, OR NOT MORE THAN  
11 ONCE IN TWO YEARS, TO DETERMINE THE WILL OF THE ELECTORS WITH  
12 RESPECT TO THE GRANTING OF LIQUOR LICENSES TO SKI RESORT  
13 FACILITIES, UNDER THE PROVISIONS OF THIS ACT: PROVIDED, THAT AN  
14 ELECTION ON THE QUESTION OF ESTABLISHING AND OPERATING A STATE  
15 LIQUOR STORE SHALL BE INITIATED ONLY IN THOSE MUNICIPALITIES, OR  
16 THAT PART OF A SPLIT MUNICIPALITY THAT SHALL HAVE VOTED AGAINST  
17 THE GRANTING OF LIQUOR LICENSES; AND THAT AN ELECTION ON THE  
18 QUESTION OF GRANTING WHOLESALE DISTRIBUTOR AND IMPORTING  
19 DISTRIBUTOR LICENSES SHALL BE INITIATED ONLY IN THOSE  
20 MUNICIPALITIES OR PARTS OF SPLIT MUNICIPALITIES THAT SHALL HAVE  
21 AT A PREVIOUS ELECTION VOTED AGAINST THE GRANTING OF DISPENSER'S  
22 LICENSES. EXCEPT FOR A MUNICIPALITY OR PART OF A SPLIT  
23 MUNICIPALITY LOCATED IN A COUNTY OF THE SECOND CLASS A, WHENEVER  
24 ELECTORS EQUAL TO AT LEAST TWENTY-FIVE PER CENTUM OF THE HIGHEST  
25 VOTE CAST FOR ANY OFFICE IN THE MUNICIPALITY OR PART OF A SPLIT  
26 MUNICIPALITY AT THE LAST PRECEDING GENERAL ELECTION SHALL FILE A  
27 PETITION WITH THE COUNTY BOARD OF ELECTIONS OF THE COUNTY FOR A  
28 REFERENDUM ON THE QUESTION OF GRANTING ANY OF SAID CLASSES OF  
29 LICENSES OR THE ESTABLISHMENT OF PENNSYLVANIA LIQUOR STORES, THE  
30 SAID COUNTY BOARD OF ELECTIONS SHALL CAUSE A QUESTION TO BE

1 PLACED ON THE BALLOTS OR ON THE VOTING MACHINE BOARD AND  
2 SUBMITTED AT ANY ELECTION. IN A COUNTY OF THE SECOND CLASS A,  
3 WHENEVER ELECTORS EQUAL TO AT LEAST TWENTY-FIVE PER CENTUM OF  
4 THE HIGHEST VOTE CAST FOR ANY OFFICE IN A MUNICIPALITY OR PART  
5 OF A SPLIT MUNICIPALITY AT THE LAST PRECEDING GENERAL ELECTION,  
6 OR WHENEVER FIVE HUNDRED ELECTORS OF A MUNICIPALITY OR PART OF A  
7 SPLIT MUNICIPALITY, WHICHEVER IS LESS, SIGN A PETITION FOR A  
8 REFERENDUM ON THE QUESTION OF GRANTING ANY OF THE SAID CLASSES  
9 OF LICENSES OR THE ESTABLISHMENT OF PENNSYLVANIA LIQUOR STORES  
10 AND FILE THE PETITION WITH THE COUNTY BOARD OF ELECTIONS, THE  
11 SAID COUNTY BOARD OF ELECTIONS SHALL CAUSE A QUESTION TO BE  
12 PLACED ON THE BALLOTS OR ON THE VOTING MACHINE BOARD AND  
13 SUBMITTED AT ANY ELECTION. SEPARATE PETITIONS MUST BE FILED FOR  
14 EACH QUESTION TO BE VOTED ON. SAID PROCEEDINGS SHALL BE IN THE  
15 MANNER AND SUBJECT TO THE PROVISIONS OF THE ELECTION LAWS WHICH  
16 RELATE TO THE SIGNING, FILING AND ADJUDICATION OF NOMINATION  
17 PETITIONS, INsofar AS SUCH PROVISIONS ARE APPLICABLE.

18 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF LIQUOR  
19 LICENSES, IT SHALL BE IN THE FOLLOWING FORM:

20 DO YOU FAVOR THE GRANTING OF LIQUOR LICENSES FOR THE  
21 SALE OF LIQUOR IN..... YES  
22 OF.....? NO

23 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF LIQUOR  
24 LICENSES TO RESORT FACILITIES IN THOSE MUNICIPALITIES THAT DO  
25 NOT ALREADY ALLOW THE RETAIL SALE OF LIQUOR, IT SHALL BE IN THE  
26 FOLLOWING FORM:

27 DO YOU FAVOR THE GRANTING OF LIQUOR LICENSES TO RESORT  
28 FACILITIES FOR THE SALE OF LIQUOR IN THE..... YES  
29 OF.....? NO

30 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF LIQUOR

1 LICENSES TO SKI RESORTS IN THOSE MUNICIPALITIES THAT DO NOT  
2 ALREADY ALLOW THE RETAIL SALE OF LIQUOR, IT SHALL BE IN THE  
3 FOLLOWING FORM:

4 DO YOU FAVOR THE GRANTING OF LIQUOR LICENSES TO SKI  
5 RESORT FACILITIES FOR THE SALE OF LIQUOR IN THE YES  
6 .....OF .....? NO

7 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF RESTAURANT  
8 LIQUOR LICENSES FOR USE AT PUBLIC VENUES IN THOSE MUNICIPALITIES  
9 THAT DO NOT ALREADY ALLOW THE RETAIL SALE OF LIQUOR, IT SHALL BE  
10 IN THE FOLLOWING FORM:

11 DO YOU FAVOR THE GRANTING OF LIQUOR LICENSES TO PUBLIC  
12 VENUES FOR THE SALE OF LIQUOR IN THE..... YES  
13 OF.....? NO

14 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF RESTAURANT  
15 LIQUOR LICENSES FOR USE AT PERFORMING ARTS FACILITIES IN THOSE  
16 MUNICIPALITIES THAT DO NOT ALREADY ALLOW THE RETAIL SALE OF  
17 ALCOHOL, IT SHALL BE IN THE FOLLOWING FORM:

18 DO YOU FAVOR THE GRANTING OF LIQUOR LICENSES TO  
19 PERFORMING ARTS FACILITIES FOR THE SALE OF LIQUOR IN  
20 THE..... YES  
21 OF.....? NO

22 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF LIQUOR  
23 LICENSES FOR HOTELS LOCATED ON PROPERTY OWNED BY AN ACCREDITED  
24 COLLEGE OR UNIVERSITY IN THOSE MUNICIPALITIES THAT DO NOT  
25 ALREADY ALLOW THE GRANTING OF LIQUOR LICENSES, IT SHALL BE IN  
26 THE FOLLOWING FORM:

27 DO YOU FAVOR THE GRANTING OF LIQUOR LICENSES TO HOTELS  
28 ON PROPERTY OWNED BY AN ACCREDITED COLLEGE OR  
29 UNIVERSITY IN THE..... YES  
30 OF.....? NO



1 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF LIQUOR  
2 LICENSES, FOR PRIVATELY-OWNED PRIVATE GOLF COURSES, IT SHALL BE  
3 IN THE FOLLOWING FORM:

4 DO YOU FAVOR THE GRANTING OF LIQUOR LICENSES FOR  
5 PRIVATELY-OWNED PRIVATE GOLF COURSES FOR THE SALE OF  
6 LIQUOR IN.....BY..... YES  
7 OF.....? NO

8 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF LIQUOR  
9 LICENSES, FOR PRIVATELY-OWNED PUBLIC GOLF COURSES, IT SHALL BE  
10 IN THE FOLLOWING FORM:

11 DO YOU FAVOR THE GRANTING OF LIQUOR LICENSES FOR  
12 PRIVATELY-OWNED PUBLIC GOLF COURSES FOR THE SALE OF  
13 LIQUOR IN.....BY..... YES  
14 OF.....? NO

15 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF LIQUOR  
16 LICENSES TO CONTINUING CARE RETIREMENT COMMUNITIES IN THOSE  
17 MUNICIPALITIES THAT HAVE NOT ALREADY APPROVED THE GRANTING OF  
18 LIQUOR LICENSES, IT SHALL BE IN THE FOLLOWING FORM:

19 DO YOU FAVOR THE GRANTING OF LIQUOR LICENSES FOR  
20 CONTINUING CARE RETIREMENT COMMUNITIES  
21 IN.....BY..... YES  
22 OF.....? NO

23 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF LICENSES  
24 TO RETAIL DISPENSERS OF MALT AND BREWED BEVERAGES, IT SHALL BE  
25 IN THE FOLLOWING FORM:

26 DO YOU FAVOR THE GRANTING OF MALT AND BREWED BEVERAGE  
27 RETAIL DISPENSER LICENSES FOR CONSUMPTION ON PREMISES  
28 WHERE SOLD IN THE..... YES  
29 OF.....? NO

30 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF LICENSES

1 TO WHOLESALE DISTRIBUTORS OF MALT OR BREWED BEVERAGES AND  
2 IMPORTING DISTRIBUTORS, IT SHALL BE IN THE FOLLOWING FORM:

3 DO YOU FAVOR THE GRANTING OF MALT AND BREWED BEVERAGE  
4 WHOLESALE DISTRIBUTOR'S AND IMPORTING DISTRIBUTOR'S  
5 LICENSES NOT FOR CONSUMPTION ON PREMISES WHERE SOLD IN  
6 THE..... YES  
7 OF.....? NO

8 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF CLUB  
9 LIQUOR LICENSES TO INCORPORATED UNITS OF NATIONAL VETERANS'  
10 ORGANIZATIONS, IT SHALL BE IN THE FOLLOWING FORM:

11 DO YOU FAVOR THE GRANTING OF CLUB LIQUOR LICENSES TO  
12 INCORPORATED UNITS OF NATIONAL VETERANS' ORGANIZATIONS  
13 IN THE..... YES  
14 OF.....? NO

15 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF CLUB  
16 RETAIL DISPENSER LICENSES TO INCORPORATED UNITS OF NATIONAL  
17 VETERANS' ORGANIZATIONS, IT SHALL BE IN THE FOLLOWING FORM:

18 DO YOU FAVOR THE GRANTING OF CLUB RETAIL DISPENSER  
19 LICENSES TO INCORPORATED UNITS OF NATIONAL VETERANS'  
20 ORGANIZATIONS IN THE..... YES  
21 OF.....? NO

22 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF SPECIAL  
23 OCCASION PERMITS ALLOWING THE SALE OF LIQUOR BY QUALIFIED  
24 ORGANIZATIONS IN MUNICIPALITIES THAT DO NOT ALREADY ALLOW THE  
25 RETAIL SALE OF LIQUOR, IT SHALL BE IN THE FOLLOWING FORM:

26 DO YOU FAVOR THE GRANTING OF SPECIAL OCCASION PERMITS  
27 TO ALLOW THE SALE OF LIQUOR BY QUALIFIED ORGANIZATIONS  
28 IN THE..... YES  
29 OF.....? NO

30 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF SPECIAL

1 OCCASION PERMITS ALLOWING THE SALE OF MALT OR BREWED BEVERAGES  
2 ONLY BY QUALIFIED ORGANIZATIONS IN MUNICIPALITIES THAT DO NOT  
3 ALREADY ALLOW THE RETAIL SALE OF MALT OR BREWED BEVERAGES, IT  
4 SHALL BE IN THE FOLLOWING FORM:

5 DO YOU FAVOR THE GRANTING OF SPECIAL OCCASION PERMITS  
6 TO ALLOW THE SALE OF MALT OR BREWED BEVERAGES ONLY BY  
7 QUALIFIED ORGANIZATIONS IN THE..... YES  
8 OF.....? NO

9 WHEN THE QUESTION IS IN RESPECT TO THE ESTABLISHMENT,  
10 OPERATION AND MAINTENANCE OF PENNSYLVANIA LIQUOR STORES IT SHALL  
11 BE IN THE FOLLOWING FORM:

12 DO YOU FAVOR THE ESTABLISHMENT, OPERATION AND  
13 MAINTENANCE OF PENNSYLVANIA LIQUOR STORES IN  
14 THE..... YES  
15 OF.....? NO

16 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF LIQUOR  
17 LICENSES TO AN AIRPORT AUTHORITY IN THOSE MUNICIPALITIES THAT DO  
18 NOT ALREADY ALLOW THE RETAIL SALE OF LIQUOR, IT SHALL BE IN THE  
19 FOLLOWING FORM:

20 DO YOU FAVOR THE GRANTING OF LIQUOR LICENSES TO AN  
21 AIRPORT AUTHORITY FOR THE SALE OF LIQUOR IN  
22 THE..... YES  
23 OF.....? NO

24 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF BREWERY  
25 LICENSES, IT SHALL BE IN THE FOLLOWING FORM:

26 DO YOU FAVOR THE GRANTING OF BREWERY LICENSES FOR THE  
27 SALE OF MALT OR BREWED BEVERAGES BY THE CASE, BY THE  
28 KEG AND BY THE GLASS FOR CONSUMPTION ON PREMISES, PLUS  
29 THE SALE OF WINE AND SPIRITS BY THE GLASS FOR  
30 CONSUMPTION ON PREMISES,

1 IN..... YES  
2 BY.....? NO

3 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF BREWERY  
4 STORAGE LICENSES, IT SHALL BE IN THE FOLLOWING FORM:

5 DO YOU FAVOR THE GRANTING OF BREWERY STORAGE LICENSES  
6 FOR THE SALE OF MALT OR BREWED BEVERAGES BY THE CASE, BY  
7 THE KEG AND BY THE GLASS FOR CONSUMPTION ON PREMISES,  
8 PLUS THE SALE OF WINE AND SPIRITS BY THE GLASS FOR  
9 CONSUMPTION ON PREMISES, IN..... YES  
10 BY.....? NO

11 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF LIMITED  
12 DISTILLERY LICENSES, IT SHALL BE IN THE FOLLOWING FORM:

13 DO YOU FAVOR THE GRANTING OF LIMITED DISTILLERY LICENSES  
14 FOR THE SALE OF SPIRITS BY THE BOTTLE TO GO AND BY THE  
15 GLASS FOR CONSUMPTION ON PREMISES, PLUS THE SALE OF WINE  
16 AND MALT OR BREWED BEVERAGES FOR CONSUMPTION ON  
17 PREMISES, IN..... YES  
18 BY.....? NO

19 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF ADDITIONAL  
20 LICENSES FOR BOARD-APPROVED LIMITED DISTILLERY LOCATIONS, IT  
21 SHALL BE IN THE FOLLOWING FORM:

22 DO YOU FAVOR THE GRANTING OF ADDITIONAL LICENSES FOR  
23 BOARD-APPROVED LIMITED DISTILLERY LOCATIONS FOR THE SALE  
24 OF SPIRITS BY THE BOTTLE TO GO AND BY THE GLASS FOR  
25 CONSUMPTION ON PREMISES, PLUS THE SALE OF WINE AND MALT  
26 OR BREWED BEVERAGES FOR CONSUMPTION ON PREMISES,  
27 IN..... YES  
28 BY.....? NO

29 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF LIMITED  
30 WINERY LICENSES, IT SHALL BE IN THE FOLLOWING FORM:

1 DO YOU FAVOR THE GRANTING OF LIMITED WINERY LICENSES FOR  
2 THE SALE OF WINE BY THE BOTTLE TO GO AND BY THE GLASS  
3 FOR CONSUMPTION ON PREMISES, PLUS THE SALE OF SPIRITS  
4 AND MALT OR BREWED BEVERAGES FOR CONSUMPTION ON  
5 PREMISES,  
6 IN..... YES  
7 BY.....? NO

8 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF ADDITIONAL  
9 LICENSES FOR BOARD-APPROVED LIMITED WINERY LOCATIONS, IT SHALL  
10 BE IN THE FOLLOWING FORM:

11 DO YOU FAVOR THE GRANTING OF ADDITIONAL LICENSES FOR  
12 BOARD-APPROVED LIMITED WINERY LOCATIONS FOR THE SALE OF  
13 WINE BY THE BOTTLE TO GO AND BY THE GLASS FOR  
14 CONSUMPTION ON PREMISES, PLUS THE SALE OF SPIRITS AND  
15 MALT OR BREWED BEVERAGES FOR CONSUMPTION ON PREMISES,  
16 IN..... YES  
17 BY.....? NO

18 IN CASE OF A TIE VOTE, THE STATUS QUO SHALL OBTAIN. IF A  
19 MAJORITY OF THE VOTING ELECTORS ON ANY SUCH QUESTION VOTE "YES,"  
20 THEN LIQUOR LICENSES SHALL BE GRANTED BY THE BOARD TO HOTELS,  
21 RESTAURANTS, SKI RESORTS, RESORT FACILITIES AND CLUBS, OR LIQUOR  
22 LICENSES SHALL BE GRANTED BY THE BOARD TO PUBLIC VENUES, TO  
23 PERFORMING ARTS FACILITIES, TO CONTINUING CARE RETIREMENT  
24 COMMUNITIES, TO HOTELS LOCATED ON PROPERTY OWNED BY AN  
25 ACCREDITED COLLEGE OR UNIVERSITY, TO PRIVATELY-OWNED PRIVATE  
26 GOLF COURSES OR TO PRIVATELY-OWNED PUBLIC GOLF COURSES, OR MALT  
27 AND BREWED BEVERAGE RETAIL DISPENSER LICENSES OR WHOLESALE  
28 DISTRIBUTOR'S AND IMPORTING DISTRIBUTOR'S LICENSE FOR THE SALE  
29 OF MALT OR BREWED BEVERAGES SHALL BE GRANTED BY THE BOARD, OR  
30 CLUB LIQUOR LICENSES OR CLUB RETAIL DISPENSER LICENSES SHALL BE

1 GRANTED BY THE BOARD TO INCORPORATED UNITS OF NATIONAL VETERANS'  
2 ORGANIZATIONS, OR SPECIAL OCCASION PERMITS MAY BE ISSUED TO  
3 QUALIFIED ORGANIZATIONS, OR THE BOARD MAY ESTABLISH, OPERATE AND  
4 MAINTAIN PENNSYLVANIA LIQUOR STORES, AS THE CASE MAY BE, IN SUCH  
5 MUNICIPALITY OR PART OF A SPLIT MUNICIPALITY, AS PROVIDED BY  
6 THIS ACT; BUT IF A MAJORITY OF THE ELECTORS VOTING ON ANY SUCH  
7 QUESTION VOTE "NO," THEN THE BOARD SHALL HAVE NO POWER TO GRANT  
8 OR TO RENEW UPON THEIR EXPIRATION ANY LICENSES OF THE CLASS SO  
9 VOTED UPON IN SUCH MUNICIPALITY OR PART OF A SPLIT MUNICIPALITY;  
10 OR IF THE NEGATIVE VOTE IS ON THE QUESTION IN RESPECT TO THE  
11 ESTABLISHMENT, OPERATION AND MAINTENANCE OF PENNSYLVANIA LIQUOR  
12 STORES, THE BOARD SHALL NOT OPEN AND OPERATE A PENNSYLVANIA  
13 LIQUOR STORE IN SUCH MUNICIPALITY OR PART OF A SPLIT  
14 MUNICIPALITY, NOR CONTINUE TO OPERATE A THEN EXISTING  
15 PENNSYLVANIA LIQUOR STORE IN THE MUNICIPALITY OR PART OF A SPLIT  
16 MUNICIPALITY FOR MORE THAN TWO YEARS THEREAFTER OR AFTER THE  
17 EXPIRATION OF THE TERM OF THE LEASE ON THE PREMISES OCCUPIED BY  
18 SUCH STORE, WHICHEVER PERIOD IS LESS, UNLESS AND UNTIL AT A  
19 LATER ELECTION A MAJORITY OF THE VOTING ELECTORS VOTE "YES" ON  
20 SUCH QUESTION.

21 \* \* \*

22 Section 3 4. This act shall take effect immediately.

<--