
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1300 Session of
2020

INTRODUCED BY STEFANO, GORDNER, MENSCH, AUMENT, KILLION, ARNOLD,
YAW, ARGALL, PITTMAN, DISANTO, REGAN, MARTIN, J. WARD,
TARTAGLIONE, MASTRIANO, HUTCHINSON, LANGERHOLC AND SCAVELLO,
SEPTEMBER 18, 2020

REFERRED TO LAW AND JUSTICE, SEPTEMBER 18, 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 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.--The board may, with the approval of the Governor[,]:

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

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

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

15 (1) Upon receipt of a request from a licensed club, catering
16 club, restaurant, retail dispenser, hotel, limited distillery,
17 distillery, brewery or limited winery, the board may temporarily
18 extend the licensed premises of the applicant to include any
19 outside serving area that is:

20 (i) immediately adjacent to the existing licensed areas; or
21 (ii) noncontinuous and within two hundred fifty feet of the
22 main licensed building.

23 (2) The board shall grant immediate operating authority to
24 the applicant to use the outside serving area subject to the
25 request while the board processes the request.

26 (3) The operating authority shall expire at the earliest of
27 any of the following:

28 (i) A valid protest is received.

29 (ii) The board determines that the proposed area does not
30 meet the requirements of this act and board regulations for the

1 licensing of the area in question.

2 (iii) The state of disaster emergency is terminated or
3 expires under 35 Pa.C.S. § 7301(c) (relating to general
4 authority of Governor).

5 (4) No filing fee shall be required from the applicant.

6 (5) The board may require the applicant to provide any
7 information that the board deems relevant.

8 (6) An outdoor serving area approved under this subsection
9 may only be utilized for purposes of outdoor dining and may not
10 include a kitchen or a bar.

11 Section 2. This act shall take effect immediately.