
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 791 Session of
2017

INTRODUCED BY YUDICHAK, GORDNER, RAFFERTY, BAKER, MENSCH,
VULAKOVICH AND BREWSTER, JUNE 22, 2017

REFERRED TO LAW AND JUSTICE, JUNE 22, 2017

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 for liquor, alcohol and malt and
18 brewed beverages, further providing for renewal of licenses
19 and temporary provisions for licensees in armed services.

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

22 Section 1. Section 470(a) of the act of April 12, 1951
23 (P.L.90, No.21), known as the Liquor Code, amended June 8, 2016
24 (P.L.273, No.39), is amended to read:

25 Section 470. Renewal of Licenses; Temporary Provisions for
26 Licensees in Armed Service.--(a) [All] The following shall

1 apply:

2 (1) Except as provided in paragraph (2), applications for
3 validation or renewal of licenses under the provisions of this
4 article shall be filed with tax clearance from the Department of
5 Revenue and the Department of Labor and Industry and requisite
6 license and filing fees, and shall include an application
7 surcharge of seven hundred dollars (\$700.00), at least sixty
8 days before the expiration date of same: Provided, however, That
9 the board, in its discretion, may accept nunc pro tunc a renewal
10 application filed less than sixty days before the expiration
11 date of the license with the required fees, upon reasonable
12 cause shown and the payment of an additional filing fee of one
13 hundred dollars (\$100.00) for late filing: And provided further,
14 That except where the failure to file a renewal application on
15 or before the expiration date has created a license quota
16 vacancy after said expiration date which has been filled by the
17 issuance of a new license, after such expiration date, but
18 before the board has received a renewal application nunc pro
19 tunc within the time prescribed herein the board, in its
20 discretion, may, after hearing, accept a renewal application
21 filed within two years after the expiration date of the license
22 with the required fees upon the payment of an additional filing
23 fee of two hundred fifty dollars (\$250.00) for late filing.
24 Where any such renewal application is filed less than sixty days
25 before the expiration date, or subsequent to the expiration
26 date, no license shall issue upon the filing of the renewal
27 application until the matter is finally determined by the board
28 and if an appeal is taken from the board's action the courts
29 shall not order the issuance of the renewal license until final
30 determination of the matter by the courts. The board may enter

1 into an agreement with the applicant concerning additional
2 restrictions on the license in question. If the board and the
3 applicant enter into such an agreement, such agreement shall be
4 binding on the applicant. Failure by the applicant to adhere to
5 the agreement will be sufficient cause to form the basis for a
6 citation under section 471 and for the nonrenewal of the license
7 under this section. A renewal application will not be considered
8 filed unless accompanied by the requisite filing and license
9 fees and any additional filing fee required by this section.
10 Unless the board shall have given ten days' previous notice to
11 the applicant of objections to the renewal of his license, based
12 upon violation by the licensee or his servants, agents or
13 employes of any of the laws of the Commonwealth or regulations
14 of the board relating to the manufacture, transportation, use,
15 storage, importation, possession or sale of liquors, alcohol or
16 malt or brewed beverages, or the conduct of a licensed
17 establishment, or unless the applicant has by his own act become
18 a person of ill repute, or unless the premises do not meet the
19 requirements of this act or the regulations of the board, the
20 license of a licensee shall be renewed. Notwithstanding any
21 other provision of this act, a noise violation shall not be the
22 sole basis for objection by the board to the renewal of a
23 license unless the licensee has received six prior adjudicated
24 noise citations within a twenty-four-month period.

25 (2) For clubs covered under this act, the application
26 surcharge for validation or renewal of licenses shall be two
27 hundred dollars (\$200.00).

28 * * *

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