

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 872 Session of 2011

INTRODUCED BY CLYMER, BAKER, BOYD, COX, CREIGHTON, DENLINGER, FLECK, GINGRICH, HESS, HUTCHINSON, KAUFFMAN, MURT, ROCK, STERN, TALLMAN AND VULAKOVICH, MARCH 1, 2011

REFERRED TO COMMITTEE ON LIQUOR CONTROL, MARCH 1, 2011

AN ACT

1 Amending Title 4 (Amusements) of the Pennsylvania Consolidated
2 Statutes, further providing for liquor licenses at licensed
3 facilities.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 1521 of Title 4 of the Pennsylvania
7 Consolidated Statutes, amended January 7, 2010 (P.L.1, No.1), is
8 amended to read:

9 § 1521. Liquor licenses at licensed facilities.

10 (a) Reapplication.--Nothing in this part shall require a
11 person already licensed to sell liquor or malt or brewed
12 beverages to reapply for the license except in the manner set
13 forth in the act of April 12, 1951 (P.L.90, No.21), known as the
14 Liquor Code.

15 (b) License authority.--Notwithstanding any other provision
16 of law, a person holding a slot machine license which is also
17 licensed to sell liquor or malt or brewed beverages pursuant to
18 the Liquor Code shall be permitted to sell[, furnish or give]

1 liquor or malt or brewed beverages on the unlicensed portion of
2 the licensed gaming facility so long as the liquor or malt or
3 brewed beverages remain on the facility.

4 (b.1) Liquor Code sanctions.--Notwithstanding any other
5 provision of law, a person holding a slot machine license that
6 also holds a license issued by the Pennsylvania Liquor Control
7 Board shall not be subject to the provisions of section 471(c)
8 of the Liquor Code. In addition, if a fine is imposed under
9 section 471(b) of the Liquor Code, it shall be for not less than
10 \$250 nor more than \$25,000. The prior citation history of the
11 slot machine licensee shall be considered in determining the
12 amount of the fine.

13 (c) Nonlicensees.--Notwithstanding any other provision of
14 law, a slot machine licensee which is not licensed to sell
15 liquor or malt or brewed beverages shall be entitled to apply to
16 the Pennsylvania Liquor Control Board for a restaurant liquor or
17 eating place retail dispenser license as permitted by section
18 472 of the Liquor Code. The following shall apply:

19 (1) Licenses issued under this section shall not be
20 subject to:

21 (i) The proximity provisions of sections 402 and 404
22 of the Liquor Code.

23 (ii) The quota restrictions of section 461 of the
24 Liquor Code.

25 (iii) The provisions of section 493(10) of the
26 Liquor Code except as they relate to lewd, immoral or
27 improper entertainment.

28 (iv) The prohibition against minors frequenting as
29 described in section 493(14) of the Liquor Code.

30 (v) The cost and total display area limitations of

1 section 493(20)(i) of the Liquor Code.

2 (vi) Section 493(24)(ii) of the Liquor Code.

3 In addition, licenses issued under this section shall not be
4 subject to the provisions defining "restaurant" or "eating
5 place" in section 102 of the Liquor Code.

6 (2) Absent good cause shown consistent with the purposes
7 of this part, the Pennsylvania Liquor Control Board shall
8 approve an application for the license filed by a licensed
9 gaming entity within 60 days.

10 Section 2. This act shall take effect immediately.