

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL**No. 1252** Session of
2023

INTRODUCED BY BENHAM, MADDEN, SANCHEZ, HILL-EVANS, SIEGEL,
DEASY, CONKLIN, GREEN, PISCIOTTANO AND SALISBURY,
MAY 24, 2023

AS REPORTED FROM COMMITTEE ON LIQUOR CONTROL, HOUSE OF
REPRESENTATIVES, AS AMENDED, JUNE 22, 2023

AN ACT

1 Amending the act of June 9, 1936 (Sp.Sess.1, P.L.13, No.4),
2 entitled "An act imposing an emergency State tax on liquor,
3 as herein defined, sold by the Pennsylvania Liquor Control
4 Board; providing for the collection and payment of such tax;
5 and imposing duties upon the Department of Revenue and the
6 Pennsylvania Liquor Control Board," further providing for
7 emergency tax on liquors and amount of tax and collection.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 2 of the act of June 9, 1936 (Sp.Sess.1,
11 P.L.13, No.4), entitled "An act imposing an emergency State tax
12 on liquor, as herein defined, sold by the Pennsylvania Liquor
13 Control Board; providing for the collection and payment of such
14 tax; and imposing duties upon the Department of Revenue and the
15 Pennsylvania Liquor Control Board," is amended to read:

16 Section 2. (a) An emergency State tax is hereby imposed and
17 assessed at the rate of eighteen per centum of the net price of
18 all liquors sold by the board. The tax herein imposed shall be
19 collected by the board from the purchasers of the liquor from

1 the board. [The] Except as provided under subsection (b), the
2 amount of such eighteen per centum so collected by the board,
3 under the provisions of this act, shall be paid into the State
4 Treasury, through the department, in the manner and within the
5 times herein specified, and shall be credited to the General
6 Fund.

7 (b) On February 1 of each calendar year, the board shall <--
8 retain THE STATE TREASURY SHALL TRANSFER an amount equal to one <--
9 per centum of the money collected under subsection (a) during
10 the preceding calendar year. INTO A RESTRICTED ACCOUNT <--
11 ESTABLISHED IN THE STATE TREASURY. MONEY IN THE RESTRICTED
12 ACCOUNT SHALL BE APPROPRIATED TO THE BOARD ON A CONTINUING BASIS
13 FOR THE PURPOSES OF THIS SUBSECTION. The following shall apply:

14 (1) The board may award the amount retained under this <--
15 subsection to establish a program USE THE MONEY IN THE <--
16 RESTRICTED ACCOUNT TO ESTABLISH A PROGRAM IN THE BUREAU OF
17 ALCOHOL EDUCATION to provide grants to saturated municipalities
18 to address health, welfare and safety issues associated with the
19 sale and distribution of alcohol. GRANTS MAY BE USED TO PAY FOR <--
20 STAFFING COSTS FOR A MUNICIPAL POLICE DEPARTMENT OR REGIONAL
21 POLICE FORCE IN AREAS SURROUNDING LICENSED ESTABLISHMENTS,
22 SECURITY CAMERAS, EXTRA STREET LIGHTING, TECHNOLOGY ENHANCEMENTS
23 FOR PUBLIC SAFETY, COMMUNITY VIOLENCE PREVENTION AND MUNICIPAL
24 PUBLIC SAFETY. A GRANT MAY NOT EXCEED \$100,000 FOR A SATURATED
25 MUNICIPALITY.

26 (2) To qualify for a grant under the program, a saturated
27 municipality shall have a municipal police department. <--
28 MUNICIPALITY MUST DEMONSTRATE NEED AND MUST HAVE A MUNICIPAL <--
29 POLICE DEPARTMENT OR REGIONAL POLICE FORCE OR CONTRACT WITH A
30 MUNICIPAL POLICE DEPARTMENT.

1 (3) The board may use an amount equal to two per centum of
2 the amount awarded in grants under the program for expenses
3 associated with administrating the program.

4 ~~(4) Money retained under this subsection that is not used~~ <--
5 ~~for awarding grants under the program or to pay for expenses~~
6 ~~associated with administering the program shall be made~~
7 ~~available for grants under the program in subsequent calendar~~
8 ~~years.~~

9 (4) MONEY IN THE RESTRICTED ACCOUNT THAT REMAINS UNEXPENDED, <--
10 UNCOMMITTED OR UNENCUMBERED ON DECEMBER 31 OF EACH YEAR SHALL
11 LAPSE TO THE GENERAL FUND.

12 (5) WITHIN EIGHTEEN (18) MONTHS OF RECEIVING A GRANT UNDER
13 THIS SUBSECTION, A SATURATED MUNICIPALITY SHALL PROVIDE A REPORT
14 TO THE BOARD ON THE IMPACT OF THE GRANT.

15 (6) THE BOARD SHALL POST A LIST OF MUNICIPALITIES THAT ARE
16 SATURATED MUNICIPALITIES UNDER THIS SUBSECTION ON ITS PUBLICLY
17 ACCESSIBLE INTERNET WEBSITE. THE BOARD SHALL UPDATE THE LIST
18 ANNUALLY.

19 ~~(5) (7) As used in this subsection, the term "saturated~~ <--
20 ~~municipality" means a municipality in which the total number of~~
21 ~~existing restaurant liquor licenses and eating place retail~~
22 ~~dispenser licenses subject to the quota restrictions specified~~
23 ~~under section 461 of the act of April 12, 1951 (P.L.90, No.21),~~
24 ~~known as the Liquor Code, is equal to or exceeds one license per~~
25 ~~thousand inhabitants or exceeds ten.~~

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