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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL**

No. **264** Session of  
1961

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INTRODUCED BY MESSRS. McCREESH AND DONOLW,  
FEBRUARY 21, 1961.

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REFERRED TO COMMITTEE ON LAW AND ORDER,  
FEBRUARY 21, 1961.

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**AN ACT**

Amending the act of April 12 1951 (P L 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of

EXPLANATION—CAPITAL LETTERS indicate new matter added to bill. Matter stricken through is to be omitted from bill.  
Underlining indicates new matter added to existing law. [Brackets] indicate matter stricken from existing law.

the Pennsylvania Liquor Control Board providing for the establishment and operation of State Liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" permitting certain restaurant liquor licenses to sell liquor on Sunday

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

1 Section 1 Subsection (a) section 406 act of April 12 1951 (P L 90)  
2 known as the "Liquor Code" amended January 7 1960 (P L 2106) is  
3 amended to read

4 Section 406 Sales by Liquor Licensees Restrictions (a) Every hotel  
5 restaurant or club liquor licensee may sell liquor and malt or brewed  
6 beverages by the glass open bottle or other container and in any mix-  
7 ture for consumption only in that part of the hotel or restaurant habit-  
8 ually used for the serving of food to guests or patrons and in the case

1 of hotels to guests and in the case of clubs to members in their private  
2 rooms in the hotel or club No club licensee nor its officers servants  
3 agents or employes other than one holding a catering license shall sell  
4 any liquor or malt or brewed beverages to any person except a member  
5 of the club No club holding a catering license nor its officers servants  
6 agents or employes shall sell on Sunday to nonmembers any liquor or  
7 malt or brewed beverages In the case of a restaurant located in a hotel  
8 which is not operated by the owner of the hotel and which is licensed  
9 to sell liquor under this act liquor and malt or brewed beverages may  
10 be sold for consumption in that part of the restaurant habitually used  
11 for the serving of meals to patrons and also to guests in private guests  
12 rooms in the hotel

13 Hotel liquor licensees and restaurant liquor licensees located in  
14 hotels in cities of the first and second class may sell liquor and malt or  
15 brewed beverages only after seven o'clock antemeridian of any week  
16 day until two o'clock antemeridian of the following day except Sun-  
17 day and may sell liquor and malt or brewed beverages on Sunday be-  
18 tween the hours of one o'clock postmeridian and ten o'clock post-  
19 meridian Such Sunday sales shall be made subject to the restrictions

1 imposed by the act on sales by hotels and restaurants in hotels for sales  
2 on week days as well as this section

3 Hotel and restaurant liquor licensees other than those located  
4 in hotels in cities of the first and second class and public service liquor  
5 licensees their servants agents or employes may sell liquor and malt  
6 or brewed beverages only after seven o'clock antemeridian of any week  
7 day and until two o'clock antemeridian of the following day and shall  
8 not sell on Sunday No hotel restaurant and public service liquor licensee  
9 shall sell liquor and malt or brewed beverages after two o'clock ante-  
10 meridian on any day on which a general municipal special or primary  
11 election is being held until one hour after the time fixed by law for  
12 closing the polls Restaurant liquor licensees who have held a liquor  
13 license for three years or more and whose sales of food and nonalco-  
14 holic beverages are sixty-five per centum of the licensee's gross receipts  
15 of the volume of business may sell liquor on Sunday A transferee of  
16 a restaurant liquor license may count the time the transferor held the  
17 liquor license in determining the three year period No club licensee  
18 or its servants agents or employes may sell liquor or malt or brewed

1 beverages between the hours of three o'clock antemeridian and seven  
2 o'clock antemeridian on any day

3 Any hotel restaurant club or public service liquor licensee may  
4 by given notice to the board advance by one hour the hours herein  
5 prescribed as those during which liquor and malt or brewed beverages  
6 may be sold during such part of the year when daylight saving time  
7 is being observed generally in the municipality in which the place of  
8 business of such licensee is located Any licensee who elects to operate  
9 his place of business in accordance with daylight saving time shall post  
10 a conspicuous notice in his place of business that he is operating in  
11 accordance with daylight saving time

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**276—Printer's No. 6**

We certify that this bill has passed the Senate and the House of Representatives.

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Chief Clerk, Senate

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President pro tempore, Senate

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Speaker, House of Representatives

Approved The ..... day of ..... A. D. 1961.

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Governor