

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1768 Session of 2023

INTRODUCED BY BENHAM, HILL-EVANS, MADDEN, SANCHEZ AND DEASY, OCTOBER 17, 2023

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, NOVEMBER 13, 2023

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 Pennsylvania Liquor Control Board, further providing for
18 biennial reports; AND MAKING AN INTERFUND TRANSFER. <--

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

21 Section 1. Section 217 of the act of April 12, 1951 (P.L.90,
22 No.21), known as the Liquor Code, is amended to read:

23 Section 217. [Biennial Reports.--(a) The board's Bureau of
24 Alcohol Education shall prepare a report on underage alcohol
25 drinking and high-risk college alcohol drinking in this

1 Commonwealth.

2 (b) A report shall be prepared biennially and shall address
3 the following:

4 (1) Current levels and trends of underage alcohol drinking
5 and high-risk college alcohol drinking in this Commonwealth.

6 (2) Current programs conducted by State agencies to prevent
7 underage alcohol drinking and high-risk college alcohol
8 drinking.

9 (3) Current science that better defines and suggests proven
10 prevention strategies for underage alcohol drinking and high-
11 risk college alcohol drinking.

12 (c) The first report to the General Assembly shall be
13 presented prior to February 1, 2007. Additional reports shall be
14 presented every two years thereafter. A copy of the report shall
15 be sent to the chairman and the minority chairman of the Law and
16 Justice Committee of the Senate and the chairman and the
17 minority chairman of the Liquor Control Committee of the House
18 of Representatives.] Duties of Bureau of Alcohol Education.--(a)

19 The board's Bureau of Alcohol Education shall prepare a report <--
20 PROVIDE INFORMATION, STATISTICS AND DATA on underage alcohol <--
21 drinking and high-risk college alcohol drinking in this
22 Commonwealth. The report shall be prepared annually INFORMATION <--
23 SHALL BE PART OF THE BOARD'S ANNUAL FINANCIAL REPORT and shall
24 address the following:

25 (1) Current levels and trends of underage alcohol <--
26 drinking and high risk college alcohol drinking in this
27 Commonwealth.

28 (2) Current programs conducted by State agencies to
29 prevent underage alcohol drinking and high risk college
30 alcohol drinking.

~~(3) Current science that better defines and suggest proven prevention strategies for underage alcohol drinking and high risk college alcohol drinking.~~

~~(4) Grants the Bureau of Alcohol Education has awarded to address alcohol education and public safety.~~

~~(b) Reserved.~~

(1) CURRENT LEVELS AND TRENDS OF UNDERAGE ALCOHOL DRINKING AND HIGH-RISK COLLEGE ALCOHOL DRINKING IN THIS COMMONWEALTH. <--

(2) CURRENT PROGRAMS CONDUCTED BY STATE AGENCIES TO PREVENT UNDERAGE ALCOHOL DRINKING AND HIGH-RISK COLLEGE ALCOHOL DRINKING.

(3) CURRENT SCIENCE THAT BETTER DEFINES AND SUGGEST PROVEN PREVENTION STRATEGIES FOR UNDERAGE ALCOHOL DRINKING AND HIGH-RISK COLLEGE ALCOHOL DRINKING.

(4) GRANTS THE BUREAU OF ALCOHOL EDUCATION HAS AWARDED TO ADDRESS ALCOHOL EDUCATION AND PUBLIC SAFETY.

(B) (1) ON FEBRUARY 1 OF EACH CALENDAR YEAR, THE STATE TREASURER SHALL TRANSFER TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000) FROM THE STATE STORES FUND INTO A RESTRICTED ACCOUNT ESTABLISHED IN THE STATE TREASURY. MONEY IN THE RESTRICTED ACCOUNT IS APPROPRIATED TO THE BOARD ON A CONTINUING BASIS FOR THE PURPOSES OF AWARDING GRANTS UNDER PARAGRAPH (2).

(2) THE FOLLOWING SHALL APPLY:

(I) THE BOARD SHALL USE THE MONEY APPROPRIATED UNDER SUBSECTION (B) TO ESTABLISH A PROGRAM IN THE BUREAU OF ALCOHOL EDUCATION TO PROVIDE GRANTS TO SATURATED MUNICIPALITIES TO ADDRESS HEALTH, WELFARE AND SAFETY ISSUES ASSOCIATED WITH THE SALE AND DISTRIBUTION OF ALCOHOL. GRANTS MAY BE USED TO PAY FOR STAFFING COSTS FOR A MUNICIPAL POLICE DEPARTMENT OR REGIONAL

1 POLICE FORCE IN AREAS SURROUNDING LICENSED ESTABLISHMENTS,
2 SECURITY CAMERAS, EXTRA STREET LIGHTING, TECHNOLOGY ENHANCEMENTS
3 FOR PUBLIC SAFETY, COMMUNITY VIOLENCE PREVENTION AND MUNICIPAL
4 PUBLIC SAFETY. A GRANT MAY NOT EXCEED ONE HUNDRED THOUSAND
5 DOLLARS (\$100,000) FOR A SATURATED MUNICIPALITY.

6 (II) TO QUALIFY FOR A GRANT UNDER SUBPARAGRAPH (I), A
7 SATURATED MUNICIPALITY MUST DEMONSTRATE NEED AND MUST HAVE A
8 MUNICIPAL POLICE DEPARTMENT OR REGIONAL POLICE FORCE OR CONTRACT
9 WITH A MUNICIPAL POLICE DEPARTMENT.

10 (III) THE BOARD MAY USE AN AMOUNT EQUAL TO TWO PERCENT (2%)
11 OF THE AMOUNT AWARDED IN GRANTS UNDER THE PROGRAM FOR EXPENSES
12 ASSOCIATED WITH ADMINISTERING THE PROGRAM.

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

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

20 (VI) AS USED IN THIS SUBSECTION, THE TERM "SATURATED
21 MUNICIPALITY" SHALL MEAN A MUNICIPALITY IN WHICH THE TOTAL
22 NUMBER OF EXISTING RESTAURANT LIQUOR LICENSES AND EATING PLACE
23 RETAIL DISPENSER LICENSES SUBJECT TO THE QUOTA RESTRICTIONS
24 SPECIFIED UNDER SECTION 461 ARE EQUAL TO OR EXCEED ONE LICENSE
25 PER ONE THOUSAND (1,000) INHABITANTS OR EXCEED TEN (10).

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