

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 118 Session of 2023

INTRODUCED BY J. WARD, PHILLIPS-HILL, STEFANO AND COSTA,  
JANUARY 18, 2023

REFERRED TO LAW AND JUSTICE, JANUARY 18, 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 licenses and regulations and liquor, alcohol and malt and  
18 brewed beverages, further providing for wine and spirits  
19 auction permits.

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

22 Section 1. Section 408.12(a) of the act of April 12, 1951  
23 (P.L.90, No.21), known as the Liquor Code, is amended to read:

24 Section 408.12. Wine and Spirits Auction Permits.--(a) Upon  
25 application of:

26 (1) any nonprofit hospital;

1 (2) any nonprofit public television station which is a  
2 member of the Pennsylvania Public Television Network;

3 (3) any orchestra located in a county of the first, second  
4 or third class which is operated by a nonprofit corporation;

5 (4) any museum located in a county of the first, second,  
6 third or fourth class which is operated by a nonprofit  
7 corporation;

8 (5) any nonprofit corporation located in any county of the  
9 third class which trains and places dogs for people who are  
10 physically handicapped;

11 (6) any nationally recognized community-based voluntary  
12 health organization committed to fighting cancer which has been  
13 in existence for at least ninety years;

14 (7) any nationally recognized emergency response  
15 organization that offers humanitarian care to victims of war or  
16 natural disaster and has been in existence for at least one  
17 hundred twenty-five years;

18 (8) any nationally recognized organization whose purpose is  
19 to serve as an agent to collect funds for local charities, as  
20 well as to coordinate relief services, counsel and refer clients  
21 to cooperating agencies and make emergency assistance grants and  
22 has been in existence for at least one hundred twenty years;

23 (9) any hospice as defined under section 802.1 of the act of  
24 July 19, 1979 (P.L.130, No.48), known as the "Health Care  
25 Facilities Act";

26 (10) institution of higher education;

27 (11) any nationally recognized community-based health  
28 organization committed to funding Type 1 Diabetes research;

29 (12) any nationally recognized community-based voluntary  
30 health organization committed to fighting cancer which has been

1 in existence for at least twenty years;

2 (13) any nonprofit organization [as] defined in accordance  
3 with [section 501(c)(3) of the Internal Revenue Code of 1986  
4 (Public Law 99-514, 26 U.S.C. § 501(c)(3))] 26 U.S.C. § 501(c)  
5 (3) (relating to exemption from tax on corporations, certain  
6 trusts, etc.) and that is registered with the Bureau of  
7 Corporations and Charitable Organizations of the Department of  
8 State, recognized as a community-based voluntary organization  
9 committed to fighting cancer and has been in existence for at  
10 least five years; [or]

11 (14) any community-based voluntary health organization in a  
12 county of the second class which enriches the lives of children  
13 and young adults with disabilities and chronic illnesses; or

14 (15) any private academic school licensed with the  
15 Department of Education or any nonpublic, nonlicensed school  
16 registered with the Department of Education;

17 and upon payment of a fee of thirty dollars (\$30) per day, the  
18 board shall issue a wine and spirits auction permit good for a  
19 period of not more than four consecutive or nonconsecutive days  
20 per calendar year.

21 \* \* \*

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