

No. 1985-1

AN ACT

SB 129

Amending the act of April 12, 1951 (P.L.90, No.21), 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 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," further providing for Sunday sales; repealing provisions authorizing certain tournaments or contests; and reinstating certain regulations.

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

Section 1. Section 406(a)(6) of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, amended December 17, 1982 (P.L.1390, No.319), is amended to read:

Section 406. Sales by Liquor Licensees; Restrictions.—(a) * * *

(6) Notwithstanding any provisions to the contrary, whenever the thirty-first day of December *or Saint Patrick's Day* falls on a Sunday, every hotel or restaurant liquor licensee, their servants, agents or employes may sell liquor and malt or brewed beverages on any such day after one o'clock post-meridian and until two o'clock antemeridian of the following day.

* * *

Section 2. Section 476 of the act is repealed.

Section 3. (a) All rules and regulations of the Pennsylvania Liquor Control Board implementing former section 476 of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, are rescinded and unenforceable. In particular, this includes the amendments to 40 Pa. Code § 5.32(g) (relating to restrictions) as to which notice of proposed rulemaking was published at 14 Pa.B.2688 (July 21, 1984) and final adoption was published at 14 Pa.B.3758 (October 13, 1984).

(b) The General Assembly hereby adopts by reference, and reinstates, 40 Pa. Code § 5.32(g) (relating to restrictions) as stated at serial pages 87067 and 87068, No.115 Jun.84, of the Pennsylvania Code Reporter.

Section 4. This act shall take effect immediately.

APPROVED—The 28th day of February, A. D. 1985.

DICK THORNBURGH