

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE BILL

## No. 212

Session of  
1977

INTRODUCED BY MESSRS. MANDERINO, BRUNNER, DeMEDIO, MISCEVICH,  
LAUDADIO, PETRARCA, STEWART, LIVENGOD, ABRAHAM, TRELLO,  
JONES, GIAMMARCO, MRS. KELLY, MESSRS. TAYLOR, CIANCIULLI,  
GAMBLE, DUFFY, DOMBROWSKI, NOVAK, M. M. MULLEN,  
MRS. GILLETTE, MESSRS. CAPUTO, A. K. HUTCHINSON AND KOLTER,  
FEBRUARY 9, 1977

REFERRED TO COMMITTEE ON LIQUOR CONTROL, FEBRUARY 9, 1977

### 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,"  
17 permitting recognized subordinate lodges or chapters of  
18 fraternal benefit societies to make application for special  
19 occasion permits for the sale of liquor and/or malt or brewed  
20 beverages.

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

23 Section 1. Section 408.4, act of April 12, 1951 (P.L.90,  
24 No.21), known as the "Liquor Code," amended July 9, 1976  
25 (No.196), and October 7, 1976 (No.220), is amended to read:

1       Section 408.4. Special Occasion Permits.--(a) Upon  
2 application of any hospital, church, synagogue, volunteer fire  
3 company, bona fide sportsmen's club in existence for at least  
4 ten years or local Bicentennial committee recognized by the  
5 American Revolution Bicentennial Administration and so  
6 designated prior to June 1, 1976 or recognized subordinate lodge  
7 or chapter of a fraternal benefit society and upon payment of a  
8 fee of fifteen dollars (\$15) per day, the board shall issue a  
9 special occasion permit good for a period of not more than three  
10 consecutive days. The provisions of this subsection relating to  
11 the issuance of permits for Bicentennial units shall expire  
12 December 31, 1976.

13       (b) In any city, borough, incorporated town or township in  
14 which the sale of liquor and/or malt or brewed beverages has  
15 been approved by the electorate, such special occasion permit  
16 shall authorize the hospital, church, synagogue, volunteer fire  
17 company, bona fide sportmen's club in existence for at least ten  
18 years or local Bicentennial committee recognized by the American  
19 Revolution Bicentennial Administration and so designated prior  
20 to June 1, 1976, or recognized subordinate lodge or chapter of a  
21 fraternal benefit society to sell liquor and/or malt or brewed  
22 beverages as the case may be to any adult person on any day for  
23 which the permit is issued. The provisions of this subsection  
24 relating to the issuance of permits for Bicentennial units shall  
25 expire December 31, 1976.

26       (c) Such special occasion permit shall only be valid for the  
27 number of days stated in the permit. Only one permit may be  
28 issued to any hospital, church, synagogue, volunteer fire  
29 company, including their auxiliaries or affiliates, bona fide  
30 sportmen's club in existence for at least ten years or local

1 Bicentennial committee recognized by the American Revolution  
2 Bicentennial Administration and so designated prior to June 1,  
3 1976, or recognized subordinate lodge or chapter of a fraternal  
4 benefit society during the year. The provisions of this  
5 subsection relating to the issuance of permits for Bicentennial  
6 units shall expire December 31, 1976.

7 (d) Such permits shall only be issued for use at a special  
8 event including, but not limited to bazaars, picnics and  
9 clambakes. The special event must be one which is used by the  
10 hospital, church, synagogue, volunteer fire company, bona fide  
11 sportmen's club in existence for at least ten years or local  
12 Bicentennial committee recognized by the American Revolution  
13 Bicentennial Administration and so designated prior to June 1,  
14 1976, or recognized subordinate lodge or chapter of a fraternal  
15 benefit society as a means of raising funds for itself. The  
16 provisions of this subsection relating to the issuance of  
17 permits for Bicentennial units shall expire December 31, 1976.

18 (e) The provisions of this section shall not be applicable  
19 to any licensee now or hereafter possessing a caterer's license,  
20 nor to any professional fund raiser.

21 (f) Any person selling liquor or malt or brewed beverages in  
22 violation of this section shall, upon summary conviction, be  
23 sentenced to pay a fine of two hundred fifty dollars (\$250) for  
24 the first offense and a fine of five hundred dollars (\$500) for  
25 each subsequent offense. This fine shall be in addition to any  
26 other penalty imposed by law for the illegal sale of malt or  
27 brewed beverages.

28 (g) For purposes of this section, a fraternal benefit  
29 society is that which the Department of State and the Insurance  
30 Department defines as such in accordance with the laws relating

1 to those departments.

2 Section 2. This act shall take effect immediately.