

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1482 Session of
1981

INTRODUCED BY BELFANTI, FLECK, COCHRAN, MERRY, PETRARCA, PRATT,
LUCYK, KOWALYSHYN, BLAUM, MORRIS, MRKONIC, JOHNSON, HALUSKA,
MCINTYRE, POTT AND SIRIANNI, JUNE 3, 1981

REFERRED TO COMMITTEE ON LIQUOR CONTROL, JUNE 3, 1981

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 further providing for special occasion permits and making an
18 editorial change.

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

21 Section 1. Section 408.4, act of April 12, 1951 (P.L.90,
22 No.21), known as the "Liquor Code," amended July 11, 1980
23 (P.L.558, No.117), is amended to read:

24 Section 408.4. Special Occasion Permits.--(a) Upon
25 application of any hospital, church, synagogue, volunteer fire

1 company, volunteer ambulance company, volunteer rescue squad,
2 bona fide sportsmen's club in existence for at least ten years
3 or the women's auxiliary of any of the foregoing and upon
4 payment of a fee of fifteen dollars (\$15) per day, the board
5 shall issue a special occasion permit good for a period of not
6 more than three consecutive days. Special occasion permits may
7 also be issued to a museum operated by a nonprofit corporation
8 in a city of the third class or a nonprofit corporation engaged
9 in the performing arts in a city of the third class for a period
10 of not more than six nonconsecutive days at a fee of fifteen
11 dollars (\$15) per day.

12 (b) In any city, borough, incorporated town or township in
13 which the sale of liquor and/or malt or brewed beverages has
14 been approved by the electorate, such special occasion permit
15 shall authorize the [permittee] hospital, church, synagogue,
16 volunteer fire company, volunteer ambulance company, volunteer
17 rescue squad, bona fide sportsmen's club in existence for at
18 least ten years of the women's auxiliary of any of the foregoing
19 to sell liquor and/or malt or brewed beverages as the case may
20 be to any adult person on any day for which the permit is
21 issued.

22 (c) Such special occasion permit shall only be valid for the
23 number of days stated in the permit. [Only one] One permit may
24 be issued to any [permittee] hospital, church, synagogue,
25 volunteer fire company, volunteer ambulance company, volunteer
26 rescue squad or bona fide sportsmen's club in existence for at
27 least ten years and one permit may be issued to the women's
28 auxiliary of any of the foregoing during the year. Provided,
29 that a museum operated by a nonprofit corporation in a city of
30 the third class and a nonprofit corporation engaged in the

1 performing arts in a city of the third class may be issued no
2 more than six permits during the year, each permit being valid
3 for only one day. [The provisions of this subsection relating to
4 the issuance of permits for Bicentennial units shall expire
5 December 31, 1976.]

6 (d) Such permits shall only be issued for use at a special
7 event including, but not limited to bazaars, picnics and
8 clambakes. The special event must be one which is used by the
9 [permittee] hospital, church, synagogue, volunteer fire company,
10 volunteer ambulance company, volunteer rescue squad or bona fide
11 sportsmen's club in existence for at least ten years or the
12 women's auxiliary of any of the foregoing as a means of raising
13 funds for itself.

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

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

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