

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 329

Session of
1983

INTRODUCED BY CIVERA, MICOZZIE, ARTY, BELARDI, SPITZ, BOOK,
PERZEL AND ALDERETTE, MARCH 14, 1983

REFERRED TO COMMITTEE ON LIQUOR CONTROL, MARCH 14, 1983

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 entertainment permits.

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

20 Section 1. Section 493(10) of the act of April 12, 1951
21 (P.L.90, No.21), known as the Liquor Code, is amended to read:

22 Section 493. Unlawful Acts Relative to Liquor, Malt and
23 Brewed Beverages and Licensees.--The term "licensee," when used
24 in this section, shall mean those persons licensed under the
25 provisions of Article IV, unless the context clearly indicates

1 otherwise.

2 It shall be unlawful--

3 * * *

4 (10) Entertainment on Licensed Premises (Except Clubs);
5 Permits; Fees. For any licensee, his servants, agents or
6 employes, except club licensees, to permit in any licensed
7 premises or in any place operated in connection therewith,
8 dancing, theatricals or floor shows of any sort, or moving
9 pictures other than television, or such as are exhibited through
10 machines operated by patrons by the deposit of coins, which
11 project pictures on a screen not exceeding in size twenty-four
12 by thirty inches and which forms part of the machine, unless the
13 licensee shall first have obtained from the board a special
14 permit to provide such entertainment, or for any licensee, under
15 any circumstances, to permit in any licensed premises any lewd,
16 immoral or improper entertainment, regardless of whether a
17 permit to provide entertainment has been obtained or not. The
18 board shall have power to provide for the issue of such special
19 permits, and to collect a fee for such permits equal to one-
20 fifth of the annual license fee but not less than twenty-five
21 dollars (\$25). The board shall cause notice to be given in one
22 newspaper of general circulation in the area where the
23 applicant's establishment is situate of any application for a
24 new amusement permit so that residents living within five
25 hundred feet of the licensed establishment may request a hearing
26 prior to the granting of such permits if they so desire. If,
27 after a hearing, the board determines the applicant's
28 establishment meets the appropriate building code requirements
29 and that the issuance of the permit would not be detrimental to
30 the health, safety and welfare of the said residents, the board

1 shall issue the amusement permit. The hearing shall be held
2 within the county where said residents reside. The provisions
3 relating to a hearing shall apply to applications for new
4 amusements permits and to applications for transfers of permits
5 but shall not apply to applications for renewals of permits. All
6 such fees shall be paid into the State Stores Fund. No such
7 permit shall be issued in any municipality which, by ordinance,
8 prohibits amusements in licensed places. Any violation of this
9 clause shall, in addition to the penalty herein provided,
10 subject the licensee to suspension or revocation of his permit
11 and his license.

12 * * *

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