

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 123 Session of 1999

INTRODUCED BY GANNON, WOGAN, LAUGHLIN, BEBKO-JONES, YOUNGBLOOD, FORCIER, SOLOBAY, BELFANTI, RUBLEY, M. COHEN, HERMAN, SEYFERT, BENNINGHOFF, SHANER, ARGALL, CURRY, GIGLIOTTI, HENNESSEY, KENNEY, MELIO, ORIE, ROEBUCK, SAINATO, SATHER, STURLA, ALLEN, S. MILLER, MAHER, BARD, L. I. COHEN, HORSEY, DALEY, ADOLPH, CIVERA, WILLIAMS, WASHINGTON, JOSEPHS AND STETLER, JANUARY 25, 1999

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, AS AMENDED, MARCH 8, 1999

AN ACT

1 Establishing a loan program to install safety devices and
2 improve safety at convenience stores; providing for
3 additional duties of the Attorney General; establishing the
4 Convenience Store Protection Fund; and making an
5 appropriation.

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

8 Section 1. Short title.

9 This act shall be known and may be cited as the Convenience
10 Store Protection Act.

11 Section 2. Definitions.

12 The following words and phrases when used in this act shall
13 have the meanings given to them in this section unless the
14 context clearly indicates otherwise:

15 "Convenience store." A retail store that sells fast foods,
16 beverages, dairy products, publications, grocery items, snacks,

1 nonfood items and gasoline.

2 "Fund." The Convenience Store Protection Fund.

3 Section 3. Program authority.

4 (a) General rule.--There is hereby established a loan
5 program for convenience store owners to install security devices
6 and improve safety in convenience stores.

7 (b) Loan amount.--No loan issued under this act shall exceed
8 \$15,000.

9 (c) Repayment and interest rate.--The Attorney General shall
10 determine a repayment schedule of not more than five years and
11 an interest rate not to exceed 3% for loans under this act.

12 Section 4. Eligibility for loans.

13 (a) General rule.--To be eligible to receive a loan under
14 this act, a convenience store owner shall submit an application
15 to the Attorney General which shall include the following:

16 (1) An assurance that security devices purchased from
17 funds received under this act shall be installed not later
18 than 30 days after receipt of such funds.

19 (2) If practicable, an assurance that the owner will
20 maintain an unobstructed view of the cash register from the
21 exterior of the store, removing any material that obstructs
22 that view.

23 (3) An assurance from the owner that the loan shall be
24 repaid in not more than 5 years.

25 (b) Eligibility.--To be eligible to receive the loan, a
26 convenience store owner must meet the following qualifications:

27 (1) The owner may not own more than five convenience
28 stores.

29 (2) The gross receipts of any one convenience store may
30 not exceed \$700,000 for the preceding fiscal year, excluding

1 proceeds from the sale of gasoline.

2 Section 5. Use of funds.

3 A loan received under this act shall be used to install any
4 of the following security devices:

5 (1) A video security system capable of 24-hour
6 surveillance.

7 (2) A drop safe or cash management device with
8 restricted access and posters that indicate not more than \$50
9 is accessible to store personnel.

10 (3) A silent alarm system to alert local law enforcement
11 officers of a problem.

12 (4) Height markers at store exits.

13 Section 6. Report.

14 The Attorney General shall submit an annual report to the
15 chairman and minority chairman of the Judiciary Committee of the
16 Senate and the chairman and the minority chairman of the
17 Judiciary Committee of the House of Representatives regarding
18 the number of loans, locations, amounts, terms and repayment
19 record of convenience stores that receive funds under this act.

20 Section 7. Convenience Store Protection Fund.

21 (a) Establishment.--There is hereby established a separate
22 account in the State Treasury to be known as the Convenience
23 Store Protection Fund. This fund shall be used as the source for
24 the loans made under this act.

25 ~~(b) Funding. There is hereby diverted from the tax~~ <—
26 ~~collected under Article XII of the act of March 4, 1971 (P.L.6,~~
27 ~~No.2), known as the Tax Reform Code of 1971, the amount of one~~
28 ~~tenth of a cent per cigarette. This diversion shall be made into~~
29 ~~the fund and shall continue until \$2,000,000 from the tax has~~
30 ~~been deposited into the fund.~~

1 ~~(c) Appropriation. The moneys in the Convenience Store~~
2 ~~Protection Fund are~~

3 (B) APPROPRIATION.--THE SUM OF \$2,000,000 IS hereby <—
4 appropriated to the Attorney General on a continuing basis to
5 carry out this act.

6 Section 8. Effective date.

7 This act shall take effect ~~in 60 days.~~ JULY 1, 1999. <—