

## 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 AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,  
MARCH 10, 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 ALL OF THE  
16 FOLLOWING ITEMS: fast foods, beverages, dairy products,

&lt;—

1 publications, grocery items, snacks, 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 FOR EACH CONVENIENCE STORE. <—

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%~~ 7% PER ANNUM for loans under <—  
12 this act.

13 Section 4. Eligibility for loans.

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

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

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

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

26 (4) AN ASSURANCE THAT EACH OWNER WHO OPERATES, OWNS OR <—  
27 RENTS AN AUTOMATIC TELLER MACHINE ON THE STORE PREMISES:

28 (I) SHALL INSTALL 24-HOUR IMAGING SURVEILLANCE, SUCH  
29 AS INSTALLATION OF A TIME LAPSE VIDEO DEVICE, OF THE  
30 AUTOMATIC TELLER MACHINE.

(II) SHALL CONDUCT ONGOING MAINTENANCE, INCLUDING  
PROMPT REPLACEMENT OF VIDEO OR FILM CASSETTES, OF THE  
AUTOMATIC TELLER MACHINE IMAGING SURVEILLANCE SYSTEM.

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

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

(2) The gross receipts of any one convenience store may  
not exceed \$700,000 for the preceding fiscal year, excluding  
proceeds from the sale of gasoline.

#### Section 5. Use of funds.

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

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

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

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

(4) Height markers at store exits.

#### Section 6. Report.

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

#### Section 7. Convenience Store Protection Fund.

(a) Establishment.--There is hereby established a separate

1 account in the State Treasury to be known as the Convenience  
2 Store Protection Fund. This fund shall be used as the source for  
3 the loans made under this act.

4 (b) Appropriation.--The sum of \$2,000,000 is hereby  
5 appropriated to the Attorney General on a continuing basis to  
6 MAKE LOANS, TO PAY THE EXPENSES OF THE ATTORNEY GENERAL RELATING <—  
7 TO THE PROGRAM AND TO OTHERWISE carry out this act.

8 SECTION 8. ENFORCEMENT. <—

9 THE ATTORNEY GENERAL SHALL HAVE THE POWER AND DUTY TO BRING  
10 AND MAINTAIN ACTIONS IN ANY COURT OF COMPETENT JURISDICTION TO  
11 ENFORCE ANY PROVISION OF THIS ACT.

12 Section 8 9. Effective date. <—

13 This act shall take effect July 1, 1999.