

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2254 Session of  
2005

INTRODUCED BY NICKOL, BUNT, CALTAGIRONE, COHEN, CRAHALLA,  
DeWEESE, FRANKEL, FREEMAN, GERGELY, GILLESPIE, GRUCELA,  
HENNESSEY, KILLION, MAITLAND, MANN, R. MILLER, MUNDY, MUSTIO,  
PAYNE, REICHLEY, RUBLEY, B. SMITH, STETLER, E. Z. TAYLOR AND  
TIGUE, NOVEMBER 21, 2005

REFERRED TO COMMITTEE ON LIQUOR CONTROL, NOVEMBER 21, 2005

AN ACT

1 Amending the act of April 12, 1951 (P.L.90, No.21), entitled, as  
2 reenacted, "An act relating to alcoholic liquors, alcohol and  
3 malt and brewed beverages; amending, revising, consolidating  
4 and 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 the definition of "eligible entity" and  
18 for special occasion permits.

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

21 Section 1. The definition of "eligible entity" in section  
22 102 of the act of April 12, 1951 (P.L.90, No.21), known as the  
23 Liquor Code, reenacted and amended June 29, 1987 (P.L.32,  
24 No.14), amended July 17, 2003 (P.L.63, No.15) and December 30,

1 2003 (P.L.423, No.59), is amended to read:

2 Section 102. Definitions.--The following words or phrases,  
3 unless the context clearly indicates otherwise, shall have the  
4 meanings ascribed to them in this section:

5 \* \* \*

6 "Eligible entity" shall mean a city of the third class, a  
7 hospital, a church, a synagogue, a volunteer fire company, a  
8 volunteer ambulance company, a volunteer rescue squad, a unit of  
9 a nationally chartered club which has been issued a club liquor  
10 license, a club in a city of the third class which has been  
11 issued a club liquor license and which, as of December 31, 2002,  
12 has been in existence for at least 100 years, a library, a  
13 nationally accredited Pennsylvania nonprofit zoological  
14 institution licensed by the United States Department of  
15 Agriculture, a nonprofit agricultural association in existence  
16 for at least ten years, a bona fide sportsmen's club in  
17 existence for at least ten years, a nationally chartered  
18 veterans' organization and any affiliated lodge or subdivision  
19 of such organization, a fraternal benefit society that is  
20 licensed to do business in this Commonwealth and any affiliated  
21 lodge or subdivision of such fraternal benefit society, a museum  
22 operated by a nonprofit corporation in a city of the third class  
23 or township of the first class, a nonprofit corporation engaged  
24 in the performing arts in a city of the third class, a borough  
25 or in an incorporated town, an arts council, a nonprofit  
26 corporation that operates an arts facility or museum in a city  
27 of the third class in the county of the fourth class, a  
28 nonprofit organization as defined under section 501(c)(3) of the  
29 Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. §  
30 501(c)(3)) whose purpose is to protect the architectural

1 heritage of boroughs and which has been recognized as such by a  
2 municipal resolution, a nonprofit organization as defined under  
3 section 501(c)(3) of the Internal Revenue Code of 1986 (Public  
4 Law 99-514, 26 U.S.C. § 501(c)(3)) conducting a regatta in a  
5 city of the second class with the permit to be used on State  
6 park grounds or conducting a family-oriented celebration as part  
7 of Welcome America in a city of the first class on property  
8 leased from that city for more than fifty years, or a nonprofit  
9 organization as defined under section 501(c)(3) of the Internal  
10 Revenue Code of 1986 (26 U.S.C. § 501(c)(3)) whose purpose is to  
11 educate the public on issues dealing with watershed  
12 conservation.

13 \* \* \*

14 Section 2. Section 408.4(i) of the act, amended December 9,  
15 2002 (P.L.1653, No.212), is amended to read:

16 Section 408.4. Special Occasion Permits.--\* \* \*

17 (i) Only one special occasion permit shall be issued to each  
18 eligible entity per calendar year. Each permit may only be used  
19 for six consecutive or nonconsecutive days; however, if the  
20 eligible entity is a museum operated by a nonprofit corporation  
21 in a city of the third class or township of the first class, a  
22 nonprofit corporation engaged in the performing arts in a city  
23 of the third class, a borough or in an incorporated town, or an  
24 arts council, then the special occasion permit may be used for  
25 six nonconsecutive or ten consecutive days.

26 \* \* \*

27 Section 3. This act shall take effect in 60 days.