

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1135 Session of
2009

INTRODUCED BY MILLARD, BARRAR, EVERETT, GEIST, GRELL, KORTZ,
PEIFER, PICKETT, REICHLEY, SCAVELLO, SIPTROTH, K. SMITH,
SONNEY, STEVENSON, J. TAYLOR AND YUDICHAK, MARCH 27, 2009

REFERRED TO COMMITTEE ON LIQUOR CONTROL, MARCH 27, 2009

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 definitions.

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

20 Section 1. The definition of "performing arts facilities" in
21 section 102 of the act of April 12, 1951 (P.L.90, No.21), known
22 as the Liquor Code, reenacted and amended June 29, 1987 (P.L.32,
23 No.14) and amended December 20, 2000 (P.L.992, No.141), is
24 amended to read:

25 Section 102. Definitions.--The following words or phrases,

1 unless the context clearly indicates otherwise, shall have the
2 meanings ascribed to them in this section:

3 * * *

4 "Performing arts facilities" shall mean those halls or
5 theaters in which live musical, concert, dance, ballet and
6 legitimate play book-length productions are performed.

7 Performing arts facilities shall not mean those halls or
8 theaters in which burlesque shows or reviews are performed. If
9 the operator of the performing arts facility is a nonprofit
10 entity, the facility must have seating for at least five hundred
11 (500) people; if the operator of the facility is a non-profit
12 entity in an incorporated town designated as such by the act of
13 March 4, 1870 (P.L.343, No.335), entitled "An act to define the
14 limits and to organize the town of Bloomsburg," the facility
15 must have seating for two hundred and fifty (250) people;
16 otherwise, the facility must have seating for at least twenty-
17 five hundred (2,500) people.

18 * * *

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