

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1426 Session of
2011

INTRODUCED BY CONKLIN, CALTAGIRONE, COHEN, FABRIZIO, GODSHALL,
HARKINS, HORNAMAN, JOSEPHS, KORTZ, MANN, MYERS, M. O'BRIEN,
VITALI AND WAGNER, MAY 3, 2011

REFERRED TO COMMITTEE ON LIQUOR CONTROL, MAY 3, 2011

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 "eligible entity" in section
21 102 of the act of April 12, 1951 (P.L.90, No.21), known as the
22 Liquor Code, reenacted and amended June 29, 1987 (P.L.32, No.14)
23 and amended June 25, 2010 (P.L.217, No.35), is amended to read:

24 Section 102. Definitions.--The following words or phrases,
25 unless the context clearly indicates otherwise, shall have the

1 meanings ascribed to them in this section:

2 * * *

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

1 Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. §
2 501(c)(3)) conducting a regatta in a city of the second class
3 with the permit to be used on State park grounds or conducting a
4 family-oriented celebration as part of Welcome America in a city
5 of the first class on property leased from that city for more
6 than fifty years, a nonprofit organization as defined under
7 section 501(c)(3) of the Internal Revenue Code of 1986 (26
8 U.S.C. § 501(c)(3)) whose purpose is to raise funds for the
9 research and treatment of cystic fibrosis, a nonprofit
10 organization as defined under section 501(c)(3) of the Internal
11 Revenue Code of 1986 (26 U.S.C. § 501(c)(3)) whose purpose is to
12 educate the public on issues dealing with watershed
13 conservation, a nonprofit organization as defined under section
14 501(c)(3) of the Internal Revenue Code of 1986 (Public Law
15 99-514, 26 U.S.C. § 501(c)(3)) whose purpose is to provide
16 equine assisted activities for children and adults with special
17 needs, a nonprofit economic development agency in a city of the
18 second class with the primary function to serve as an economic
19 generator for the greater southwestern Pennsylvania region by
20 attracting and supporting film, television and related media
21 industry projects and coordinating government and business
22 offices in support of a production, a county tourist promotion
23 agency as defined in section 3(1) of the act of April 28, 1961
24 (P.L.111, No.50), known as the "Tourist Promotion Law," and
25 located in a city of the third class in a county of the fourth
26 class or located in a township of the second class in a county
27 of the fifth class, a junior league in a third class county that
28 is a nonprofit organization as defined under section 501(c)(3)
29 of the Internal Revenue Code of 1986 (26 U.S.C. § 501(c)(3))
30 that is comprised of women whose purpose is exclusively

1 educational and charitable in promoting the volunteerism of
2 women and developing and participating in community projects and
3 that has been in existence for over seventy years, a nonprofit
4 organization as defined under section 501(c)(3) of the Internal
5 Revenue Code of 1986 which is located in counties of the second
6 class A or of the third class and whose purpose is the education
7 and promotion of American history, a nonprofit organization as
8 defined under section 501(c)(6) of the Internal Revenue Code of
9 1986 which is located in a city of the third class in a county
10 of the third class and whose purpose is to support business and
11 industry, a brewery which has been issued a license to
12 manufacture malt or brewed beverages and has been in existence
13 for at least 100 years [or], a club recognized by Rotary
14 International which is located in a county of the fourth class
15 and whose purpose is to provide service to others, to promote
16 high ethical standards and to advance world understanding,
17 goodwill and peace through its fellowship of business,
18 professional and community leaders [or], a nonprofit
19 organization as defined under section 501(c)(3) of the Internal
20 Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 501(c)(3))
21 which is located in a borough in a county of the third class and
22 whose purpose is to promote mushrooms while supporting local and
23 regional charities or a noncommercial educational public radio
24 or television station that is eligible for qualification under
25 the Corporation for Public Broadcasting.

26 * * *

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