

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1021 Session of  
1981

INTRODUCED BY DeMEDIO, LESCOVITZ AND FEE, MARCH 25, 1981

REFERRED TO COMMITTEE ON LIQUOR CONTROL, MARCH 25, 1981

AN ACT

1 Amending the act of April 12, 1951 (P.L.90, No.21), entitled "An  
2 act relating to alcoholic liquors, alcohol and malt and  
3 brewed beverages; amending, revising, consolidating and  
4 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 permitting recognized subordinate lodges or chapters of  
18 fraternal benefit societies to make application for special  
19 occasion permits for the sale of liquor and/or malt or brewed  
20 beverages.

21 The General Assembly of the Commonwealth of Pennsylvania  
22 hereby enacts as follows:

23 Section 1. Section 408.4, act of April 12, 1951 (P.L.90,  
24 No.21), known as the "Liquor Code," amended July 11, 1980  
25 (No.117), is amended to read:

26 Section 408.4. Special Occasion Permits.--(a) Upon

1 application of any hospital, church, synagogue, volunteer fire  
2 company, recognized subordinate lodge or chapter of a fraternal  
3 benefit society or, bona fide sportsmen's club in existence for  
4 at least ten years and upon payment of a fee of fifteen dollars  
5 (\$15) per day, the board shall issue a special occasion permit  
6 good for a period of not more than three consecutive days.

7 Special occasion permits may also be issued to a museum operated  
8 by a nonprofit corporation in a city of the third class or a  
9 nonprofit corporation engaged in the performing arts in a city  
10 of the third class for a period of not more than six  
11 nonconsecutive days at a fee of fifteen dollars (\$15) per day.

12 (b) In any city, borough, incorporated town or township in  
13 which the sale of liquor and/or malt or brewed beverages has  
14 been approved by the electorate, such special occasion permit  
15 shall authorize the permittee to sell liquor and/or malt or  
16 brewed beverages as the case may be to any adult person on any  
17 day for which the permit is issued.

18 (c) Such special occasion permit shall only be valid for the  
19 number of days stated in the permit. Only one permit may be  
20 issued to any permittee during the year. Provided, that a museum  
21 operated by a nonprofit corporation in a city of the third class  
22 and a nonprofit corporation engaged in the performing arts in a  
23 city of the third class may be issued no more than six permits  
24 during the year, each permit being valid for only one day. [The  
25 provisions of this subsection relating to the issuance of  
26 permits for Bicentennial units shall expire December 31, 1976.]

27 (d) Such permits shall only be issued for use at a special  
28 event including, but not limited to bazaars, picnics and  
29 clambakes. The special event must be one which is used by the  
30 permittee as a means of raising funds for itself.

1 (e) The provisions of this section shall not be applicable  
2 to any licensee now or hereafter possessing a caterer's license,  
3 nor to any professional fund raiser.

4 (f) Any person selling liquor or malt or brewed beverages in  
5 violation of this section shall, upon summary conviction, be  
6 sentenced to pay a fine of two hundred fifty dollars (\$250) for  
7 the first offense and a fine of five hundred dollars (\$500) for  
8 each subsequent offense. This fine shall be in addition to any  
9 other penalty imposed by law for the illegal sale of malt or  
10 brewed beverages.

11 (g) For purposes of this section, a fraternal benefit  
12 society is that which the Insurance Department defines as such  
13 in accordance with the laws relating to that department or grand  
14 or subordinate lodges of societies, orders or associations now  
15 doing business in the Commonwealth which provide benefits  
16 exclusively through local or subordinate lodges.

17 Section 2. This act shall take effect immediately.