

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1701 Session of
1999

INTRODUCED BY COSTA, GIGLIOTTI, MICHLOVIC, WALKO, RUFFING,
FRANKEL, PRESTON, LAUGHLIN, WOJNAROSKI AND HARHAI,
JUNE 16, 1999

REFERRED TO COMMITTEE ON LIQUOR CONTROL, JUNE 16, 1999

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 nuisances.

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

20 Section 611(c) of the act of April 12, 1951 (P.L.90, No.21),
21 known as the Liquor Code, is amended to read:

22 Section 611. Nuisances; Actions To Enjoin.--* * *

23 (c) Upon the decree of the court ordering such nuisance to
24 be abated, the court may, upon proper cause shown, order that
25 the room, house, building, structure, boat, vehicle or place

1 shall not be occupied or used for one year thereafter, [but] or
2 the court may, in its discretion, permit it to be occupied or
3 used if the owner, lessee, tenant or occupant [thereof shall
4 give] is not the holder of the license which is the subject of
5 the abatement and if said owner, lessee, tenant or occupant
6 posts a bond with sufficient surety to be approved by the court
7 making the order in the penal and liquidated sum of not less
8 than [five hundred dollars (\$500.00)] five thousand dollars
9 (\$5,000.00), payable to the Commonwealth of Pennsylvania, for
10 use of the county in which said proceedings are instituted, and
11 conditioned that neither liquor, alcohol, nor malt or brewed
12 beverages will thereafter be manufactured, sold, transported,
13 offered for sale, bartered or furnished, or stored in bond, or
14 stored for hire therein or thereon [in violation of this act,]
15 and that [he] the owner, lessee, tenant or occupant thereof will
16 pay all fines, costs and damages that may be assessed for any
17 violation of this act upon said property.

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