

## AMENDMENTS TO HOUSE BILL NO. 1096

Sponsor: REPRESENTATIVE LEADBETER

Printer's No. 1144

1 Amend Bill, page 1, line 16, by inserting after "laws,"  
2 in preliminary provisions, further providing for definitions;  
3 and,

4 Amend Bill, page 1, line 18, by inserting after "for"  
5 public venue license and for

6 Amend Bill, page 1, lines 22 and 23, by striking out all of  
7 said lines and inserting

8 Section 1. The definition of "public venue" in section 102  
9 of the act of April 12, 1951 (P.L.90, No.21), known as the  
10 Liquor Code, is amended to read:

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

14 \* \* \*

15 "Public venue" shall mean a stadium, arena, convention  
16 center, museum, zoo, amphitheater or [similar structure.]  
17 amusement park as defined in section 2 of the act of June 18,  
18 1984 (P.L.384, No.81), known as the "Amusement Ride Inspection  
19 Act," situated on at least forty (40) acres of land regardless  
20 of seating capacity, or similar structure. If the public venue  
21 is a cruise terminal owned or leased by a port authority created  
22 under the act of June 12, 1931 (P.L.575, No.200), entitled "An  
23 act providing for joint action by Pennsylvania and New Jersey in  
24 the development of the ports on the lower Delaware River, and  
25 the improvement of the facilities for transportation across the  
26 river; authorizing the Governor, for these purposes, to enter  
27 into an agreement with New Jersey; creating The Delaware River  
28 Joint Commission and specifying the powers and duties thereof,  
29 including the power to finance projects by the issuance of  
30 revenue bonds; transferring to the new commission all the powers  
31 of the Delaware River Bridge Joint Commission; and making an  
32 appropriation," it shall have no permanent seating requirement.  
33 If the public venue is an open-air amphitheater owned by a port  
34 authority created under the act of December 6, 1972 (P.L.1392,  
35 No.298), known as the "Third Class City Port Authority Act," it

1 shall have no permanent seating requirement. If the public venue  
2 is owned by a political subdivision, a municipal authority, the  
3 Commonwealth, an authority created under the act of July 29,  
4 1953 (P.L.1034, No.270), known as the "Public Auditorium  
5 Authorities Law," an authority created under Article XXV-A of  
6 the act of July 28, 1953 (P.L.723, No.230), known as the "Second  
7 Class County Code," an art museum established under the  
8 authority of the act of April 6, 1791 (3 Sm.L.20, No.1536),  
9 entitled "An act to confer on certain associations of the  
10 citizens of this commonwealth the powers and immunities of  
11 corporations, or bodies politic in law," or an authority created  
12 under Article XXIII (n) or (o) of the act of August 9, 1955  
13 (P.L.323, No.130), known as "The County Code," it shall have  
14 permanent seating for at least one thousand (1,000) people;  
15 otherwise, it shall have permanent seating for at least two  
16 thousand (2,000) people. The term shall also mean any regional  
17 history center, multipurpose cultural and science facility,  
18 museum or convention or trade show center, regardless of owner  
19 and seating capacity, that has a floor area of at least sixty  
20 thousand (60,000) square feet in one building. The term shall  
21 also mean a convention or conference center owned by a city of  
22 the third class or a university which is a member of the  
23 Pennsylvania State System of Higher Education which is operated  
24 by a university foundation or alumni association, regardless of  
25 seating capacity, that has a floor area of at least fifteen  
26 thousand (15,000) square feet in one building. The term shall  
27 also mean a visitor center, regardless of floor area or seating  
28 capacity, that was established under the authority of the  
29 Gateway Visitor Center Authorization Act of 1999 (Public Law  
30 106-131, 113 Stat. 1678, 16 U.S.C. § 407m).

31 \* \* \*

32 Section 2. Section 412(f)(1) of the act is amended and the  
33 section is amended by adding subsections to read:

34 Section 412. Public Venue License.--\* \* \*

35 (f) Licenses issued under this section are to be considered  
36 restaurant liquor licenses. However, the following additional  
37 restrictions and privileges apply:

38 (1) Sales may only be made one hour before, during and one  
39 hour after any athletic performance, performing arts event,  
40 trade show, convention, banquet or any other performance at the  
41 facility; however, sales may not be made from two o'clock  
42 antemeridian to seven o'clock antemeridian. In addition, sales  
43 may not occur prior to eleven o'clock antemeridian on Sundays or  
44 seven o'clock antemeridian on Mondays. Notwithstanding this  
45 [section, facilities that had been licensed under former  
46 sections] section:

47 (i) Facilities that had been licensed under former sections  
48 408.9 and 408.14 may sell liquor and/or malt or brewed beverages  
49 anytime except from two o'clock antemeridian to seven o'clock  
50 antemeridian or prior to eleven o'clock antemeridian on Sundays  
51 or seven o'clock antemeridian on Mondays, regardless of whether

1 there is a performance at the facility.

2 (ii) Amusement parks may sell liquor and malt or brewed  
3 beverages from eleven o'clock antemeridian to eleven o'clock  
4 postmeridian.

5 \* \* \*

6 (h) An amusement park that holds a restaurant license before  
7 January 1, 2022, and seeks to obtain a public venue license  
8 shall exchange one existing restaurant license to the board in  
9 return for a public venue license at no cost. A restaurant  
10 license exchanged under this subsection shall be subject to a  
11 license auction under section 470.3.

12 (i) An amusement park that holds a public venue license  
13 shall utilize a transaction scan device to verify the age of an  
14 individual who appears to be under thirty-five years of age  
15 before making a sale of liquor and malt or brewed beverages,  
16 however, an acceptable form of identification under section  
17 495(a) that cannot be scanned may be accepted by the licensee.  
18 An amusement park may not sell or share data from the use of a  
19 transaction scan device, provided that the licensee may use the  
20 data to show the enforcement bureau of the board that the  
21 licensee is in compliance with this act. As used in this  
22 subsection, the term "transaction scan device" means a device  
23 capable of deciphering, in an electronically readable format,  
24 the information encoded on the magnetic strip or bar code of an  
25 identification card under section 495(a).

26 (j) As used in this section, the term "amusement park" shall  
27 have the same meaning as defined in section 2 of the act of June  
28 18, 1984 (P.L.384, No.81), known as the "Amusement Ride  
29 Inspection Act."

30 Section 3. Section 461(c) (9.2) of the act is amended to  
31 read:

32 Amend Bill, page 3, line 6, by striking out "2" and inserting

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