THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 541 Session of 2011

INTRODUCED BY PETRI, CALTAGIRONE, CLYMER, MURT, O'NEILL AND
RAPP, FEBRUARY 8, 2011

REFERRED TO COMMITTEE ON LIQUOR CONTROL, FEBRUARY 8, 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," in
17   licenses and regulations, providing for reporting of changes
18   in officers, directors or stockholders.

19   The General Assembly of the Commonwealth of Pennsylvania

20 hereby enacts as follows:

21   Section 1. 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), is amended by adding a section to read:

24   Section 415. Reporting of Changes in Officers, Directors or

25 Stockholders.--(a) (1) Except as otherwise provided in

26 paragraph (2), a corporation, association or other board-

licensed entity, except a club, having officers, directors or
stockholders shall report a change in an officer, director or
stockholder within fifteen days.

(2) A change in a stockholder involving less than ten per
centum of outstanding voting stock need not be reported, except
when the change involves a majority or controlling interest.

(3) For purposes of this subsection, "control" is defined as
the power or authority to manage, direct, govern, administer or
oversee the operation of a licensed business.

(b) The changes shall be reported on forms which will be
furnished upon request by the board. For a change in
stockholder, an affidavit describing, in detail, the source of
funds used to purchase the stock shall accompany the form. If
funds to purchase the stock are derived from a written financing
agreement, the financing agreement shall be included with the
form.

(c) (1) A change of officer of a club shall be reported
with the renewal of the club license on forms furnished by the
board upon request.

(2) Change of club manager or steward shall be reported with
the renewal of the club license and at license validation on
forms furnished by the board upon request.

(d) (1) Change of officer forms for club licensees shall be
accompanied by a fee of forty dollars ($40.00). When a
background investigation is conducted to obtain or verify
information regarding a change of officer of a club, an
additional fee of sixty dollars ($60.00), for a total fee of one
hundred dollars ($100.00), shall be assessed.

(2) Change of officer forms for a change of an officer,
other than a club, shall be accompanied by a fee of two hundred

1   dollars ($200.00) when the change of officer does not constitute

2   a change in majority or controlling interest. If the change of

3   officer constitutes a change in majority or controlling

4   interest, the fee shall be assessed in accordance with section

5   614-A of the act of April 9, 1929 (P.L.177, No.175), known as

6   "The Administrative Code of 1929."

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