

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 527

Session of
1975

INTRODUCED BY MRS. TOLL, MESSRS. SULLIVAN, JOHNSON, RIEGER,
VANN, CESSAR, BARBER, PIEVSKY, GREENFIELD, MCGINNIS,
GIAMMARCO, ROMANELLI, MRS. KELLY, MESSRS. PERRY, DiDONATO,
COHEN, OLIVER, USTYNOSKI AND HAMMOCK, FEBRUARY 19, 1975

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
JULY 1, 1975

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 PROVIDING FOR VETERANS' ORGANIZATION LICENSES AND further
18 regulating the transfer OR SURRENDER of a license. <—

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," IS AMENDED BY ADDING A SECTION TO READ:

23 SECTION 401.1. VETERANS' ORGANIZATION.--(A) THE BOARD, UPON
24 RECEIPT OF AN APPLICATION FOR THE TRANSFER OF A LIQUOR LICENSE

1 TO ANY VETERANS' ORGANIZATION IN EXISTENCE FIVE (5) YEARS PRIOR
2 TO THE EFFECTIVE DATE OF THIS ACT AND AFFILIATED WITH A
3 NATIONALLY CHARTERED VETERANS' ORGANIZATION, SHALL, PROVIDING
4 THAT ALL THE OTHER REQUIREMENTS OF THIS ACT FOR THE TRANSFER OF
5 A LIQUOR LICENSE HAVE BEEN MET, ISSUE A CLUB LIQUOR LICENSE
6 RESTRICTED TO A VETERANS' ORGANIZATION WITHOUT REGARD TO ANY
7 EXISTING LICENSE QUOTA SYSTEM.

8 (B) A VETERANS' ORGANIZATION AS DEFINED IN SUBSECTION (A) OF
9 THIS SECTION SHALL HAVE THE RIGHT TO PURCHASE ANY CLUB OR
10 RESTAURANT LIQUOR LICENSE WITHIN THE COUNTY WHERE THE
11 ORGANIZATION IS LOCATED, AND, UPON APPLICATION TO THE BOARD HAVE
12 THE CLUB OR RESTAURANT LIQUOR LICENSE REDESIGNATED AS A CLUB
13 LIQUOR LICENSE RESTRICTED TO A VETERANS' ORGANIZATION.

14 (C) ANY CLUB LIQUOR LICENSE RESTRICTED TO A VETERANS'
15 ORGANIZATION SHALL BE TRANSFERABLE ONLY TO ANOTHER NATIONALLY
16 CHARTERED VETERANS' ORGANIZATION WITHIN THE COUNTY.

17 Section 42. Section 402, ~~act of April 12, 1951 (P.L. 90,~~ <—
18 ~~No. 21), known as the "Liquor Code,"~~ OF THE ACT is amended to <—
19 read:

20 Section 402. License Districts; License Year; Hearings.--The
21 board shall, by regulation, divide the State into convenient
22 license districts and shall hold hearings on applications for
23 licenses, transfers and renewals thereof, as it deems necessary,
24 at a convenient place or places in each of said districts, at
25 such times as it shall fix, by regulation, for the purpose of
26 hearing testimony for and against applications for new licenses,
27 transfers and renewals thereof. The board may provide for the
28 holding of such hearings by examiners learned in the law, to be
29 appointed by the Governor, who shall not be subject to the
30 "Civil Service Act." Such examiners shall make report to the

1 board in each case with their recommendations. The board shall,
2 by regulation, fix the license year for each separate district
3 so that the expiration dates shall be uniform in each of the
4 several districts but staggered as to the State.

5 Section ~~2~~ 3. Subsection (g) of section 403 of the act, <—
6 amended November 19, 1959 (P.L.1546, No.553), is amended to
7 read:

8 Section 403. Applications for Hotel, Restaurant and Club
9 Liquor Licenses.--* * *

10 (g) Every applicant for a new license, for the transfer of
11 an existing license to another person or for the transfer of an
12 existing license to another premises not then licensed shall
13 post, for a period of at least fifteen days beginning with the
14 day the application is filed with the board, in a conspicuous
15 place on the outside of the premises or at the proposed new
16 location for which the license is applied, a notice of such
17 application, in such form, of such size, and containing such
18 provisions as the board may require by its regulations. Proof of
19 the posting of such notice shall be filed with the board.

20 * * *

21 SECTION 4. THE ACT IS AMENDED BY ADDING A SECTION TO READ: <—

22 SECTION 475. SURRENDER OF LICENSE BECAUSE OF LOCAL DISASTER
23 OR PHYSICAL CATASTROPHE.--ANY LICENSEE WHOSE LICENSE HAS BEEN
24 SURRENDERED FOR SAFEKEEPING TO THE PENNSYLVANIA LIQUOR CONTROL
25 BOARD BECAUSE OF A LOCAL DISASTER OR A PHYSICAL CATASTROPHE
26 INVOLVING THE PREMISES SHALL BE PERMITTED TO LIFT THAT LICENSE
27 AND RESUME OPERATION OF THE LICENSED BUSINESS AT ANY TIME WITHIN
28 THREE YEARS OF ITS SURRENDER.