

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 489

Session of
1983

INTRODUCED BY BELFANTI, GALLAGHER, TELEK, PERZEL, KUKOVICH,
CAWLEY, TIGUE, POTT, LETTERMAN, DAWIDA, PISTELLA, B. SMITH,
DeWEESE, DALEY, LUCYK, CORDISCO, HALUSKA, RYBAK, MRKONIC,
PRATT, GRUPPO, MERRY, MORRIS, ITKIN, STEWART, BLAUM AND
McCALL, MARCH 16, 1983

REFERRED TO COMMITTEE ON LIQUOR CONTROL, MARCH 16, 1983

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 further providing for special occasion permits; and making an
18 editorial change.

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

21 Section 1. Section 408.4 of the act of April 12, 1951
22 (P.L.90, No.21), known as the Liquor Code, amended July 11, 1980
23 (P.L.558, No.117), is amended to read:

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

1 application of any hospital, church, synagogue, volunteer fire
2 company, volunteer ambulance company, volunteer rescue squad,
3 bona fide sportsmen's club in existence for at least ten years,
4 or the women's auxiliary of any of the foregoing, and upon
5 payment of a fee of fifteen dollars (\$15) per day, the board
6 shall issue a special occasion permit good for a period of not
7 more than three consecutive days. Special occasion permits may
8 also be issued to a museum operated by a nonprofit corporation
9 in a city of the third class or a nonprofit corporation engaged
10 in the performing arts in a city of the third class for a period
11 of not more than six nonconsecutive days at a fee of fifteen
12 dollars (\$15) per day.

13 (b) In any city, borough, incorporated town or township in
14 which the sale of liquor and/or malt or brewed beverages has
15 been approved by the electorate, such special occasion permit
16 shall authorize the [permittee] hospital, church, synagogue,
17 volunteer fire company, volunteer ambulance company, volunteer
18 rescue squad, bona fide sportsmen's club in existence for at
19 least ten years, or the women's auxiliary of any of the
20 foregoing, to sell liquor and/or malt or brewed beverages as the
21 case may be to any adult person on any day for which the permit
22 is issued.

23 (c) Such special occasion permit shall only be valid for the
24 number of days stated in the permit. [Only one] One permit may
25 be issued to any [permittee] hospital, church, synagogue,
26 volunteer fire company, volunteer ambulance company, volunteer
27 rescue squad or bona fide sportsmen's club in existence for at
28 least ten years and one permit may be issued to the women's
29 auxiliary of any of the foregoing during the year. Provided,
30 that a museum operated by a nonprofit corporation in a city of

1 the third class and a nonprofit corporation engaged in the
2 performing arts in a city of the third class may be issued no
3 more than six permits during the year, each permit being valid
4 for only one day. [The provisions of this subsection relating to
5 the issuance of permits for Bicentennial units shall expire
6 December 31, 1976.]

7 (d) Such permits shall only be issued for use at a special
8 event including, but not limited to bazaars, picnics and
9 clambakes. The special event must be one which is used by the
10 [permittee] hospital, church, synagogue, volunteer fire company,
11 volunteer ambulance company, volunteer rescue squad, bona fide
12 sportsmen's club in existence for at least ten years, or the
13 women's auxiliary of any of the foregoing, as a means of raising
14 funds for itself.

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

18 (f) Any person selling liquor or malt or brewed beverages in
19 violation of this section shall, upon summary conviction, be
20 sentenced to pay a fine of two hundred fifty dollars (\$250) for
21 the first offense and a fine of five hundred dollars (\$500) for
22 each subsequent offense. This fine shall be in addition to any
23 other penalty imposed by law for the illegal sale of malt or
24 brewed beverages.

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