

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2607 Session of
2004

INTRODUCED BY REICHLEY, BUNT, CAWLEY, DALLY, DeWEESE, FABRIZIO,
GOOD, HARRIS, KOTIK, RUBLEY, SOLOBAY AND YOUNGBLOOD,
MAY 12, 2004

REFERRED TO COMMITTEE ON LIQUOR CONTROL, MAY 12, 2004

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 defining "public venue."

18 The General Assembly of the Commonwealth of Pennsylvania

19 hereby enacts as follows:

20 Section 1. The definition of "public venue" in section 102
21 of the act of April 12, 1951 (P.L.90, No.21), known as the
22 Liquor Code, reenacted and amended June 29, 1987 (P.L.32, No.14)
23 and amended July 17, 2003 (P.L.63, No.15), is amended to read:

24 Section 102. Definitions.--The following words or phrases,
25 unless the context clearly indicates otherwise, shall have the

1 meanings ascribed to them in this section:

2 * * *

3 "Public venue" shall mean a stadium, arena, convention center
4 with permanent seating, museum, amphitheater or similar
5 structure. If the public venue is a cruise terminal owned or
6 leased by a port authority created under the act of June 12,
7 1931 (P.L.575, No.200), entitled "An act providing for joint
8 action by Pennsylvania and New Jersey in the development of the
9 ports on the lower Delaware River, and the improvement of the
10 facilities for transportation across the river; authorizing the
11 Governor, for these purposes, to enter into an agreement with
12 New Jersey; creating The Delaware River Joint Commission and
13 specifying the powers and duties thereof, including the power to
14 finance projects by the issuance of revenue bonds; transferring
15 to the new commission all the powers of the Delaware River
16 Bridge Joint Commission; and making an appropriation," it shall
17 have no permanent seating requirement. If the public venue is an
18 open-air amphitheater owned by a port authority created under
19 the act of December 6, 1972 (P.L.1392, No.298), known as the
20 "Third Class City Port Authority Act," it shall have no
21 permanent seating requirement. If the public venue is owned by a
22 political subdivision, a municipal authority, the Commonwealth,
23 an authority created under the act of July 29, 1953 (P.L.1034,
24 No.270), known as the "Public Auditorium Authorities Law," an
25 authority created under Article XXV-A of the act of July 28,
26 1953 (P.L.723, No.230), known as the "Second Class County Code,"
27 an art museum established under the authority of the act of
28 April 6, 1791 (3 Sm.L.20, No.1536), entitled "An act to confer
29 on certain associations of the citizens of this commonwealth the
30 powers and immunities of corporations, or bodies politic in

1 law," or an authority created under Article XXIII (n) or (o) of
2 the act of August 9, 1955 (P.L.323, No.130), known as "The
3 County Code," it shall have permanent seating for at least one
4 thousand (1,000) people; otherwise, it shall have permanent
5 seating for at least three thousand (3,000) people. The term
6 shall also mean any regional history center, multipurpose
7 cultural and science facility [or], museum or convention or
8 trade show center without permanent seating, regardless of owner
9 and seating capacity, that has a floor area of at least sixty
10 thousand (60,000) square feet in one building. The term shall
11 also mean a convention or conference center owned by a city of
12 the third class, regardless of seating capacity, that has a
13 floor area of at least fifteen thousand (15,000) square feet in
14 one building.

15 * * *

16 Section 2. This act shall take effect immediately.