

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 766 Session of
2009

INTRODUCED BY PETRI, BEYER, CALTAGIRONE, CLYMER, M. O'BRIEN,
O'NEILL, SIPTROTH, WANSACZ AND YOUNGBLOOD, MARCH 6, 2009

REFERRED TO COMMITTEE ON LIQUOR CONTROL, MARCH 6, 2009

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 providing for reporting requirements.

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

20 Section 1. The act of April 12, 1951 (P.L.90, No.21), known
21 as the Liquor Code, reenacted and amended June 29, 1987 (P.L.32,
22 No.14), is amended by adding a section to read:

23 Section 415. Reporting.--(a) A corporation, association or
24 other board-licensed entity, except a club, having officers, or
25 directors, or stockholders shall report a change in officers, or

1 directors, or stockholders within fifteen days. A change in
2 stockholders involving less than ten per centum of outstanding
3 voting stock need not be reported, except when the change
4 involves a majority or controlling interest. Control is defined
5 as the power or authority to manage, direct, govern, administer
6 or oversee the operation of the licensed business.

7 (b) The changes shall be reported on forms which will be
8 furnished upon request by the board. For a change in
9 stockholders, an affidavit describing, in detail, the source of
10 funds used to purchase the stock shall accompany the form. If
11 funds to purchase the stock are derived from a written financing
12 agreement, the financing agreement shall also accompany the
13 form.

14 (c) Club change of officers shall be reported with the
15 renewal of club license on forms furnished by the board upon
16 request. Change of club manager or steward shall be reported
17 with the renewal of club license and at license validation on
18 forms furnished by the board upon request.

19 (d) Change of officer forms for club licensees shall be
20 accompanied by a fee of forty dollars (\$40.00). When a
21 background investigation is conducted to obtain or verify
22 information regarding a club change of officer, an additional
23 fee of sixty dollars (\$60.00), for a total fee of one hundred
24 dollars (\$100.00), will be assessed. Change of officer forms for
25 changes of corporate officers other than clubs shall be
26 accompanied by a fee of two hundred dollars (\$200.00) when the
27 change of officer does not constitute a change in
28 majority/controlling interest. If the change of corporate
29 officer does constitute a change in majority/controlling
30 interest, fees will be assessed in accordance with section 614-A

1 of the act of April 9, 1929 (P.L.177, No.175), known as "The
2 Administrative Code of 1929."

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