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THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE BILL

## No. 1059 Session of 2011

INTRODUCED BY GOODMAN, CALTAGIRONE, CARROLL, CONKLIN, D. COSTA, DAVIS, DeLUCA, DERMODY, FABRIZIO, GEORGE, GIBBONS, HARHAI, HARKINS, HENNESSEY, HORNAMAN, KAVULICH, KORTZ, KULA, LONGIETTI, MANN, MARSHALL, METZGAR, MICOZZIE, MIRABITO, MOUL, MURPHY, MURT, O'NEILL, PETRARCA, PRESTON, SABATINA, K. SMITH, STABACK, STURLA, SWANGER, VULAKOVICH AND YOUNGBLOOD, MARCH 15, 2011

REFERRED TO COMMITTEE ON LIQUOR CONTROL, MARCH 15, 2011

AN ACT

Amending the act of April 12, 1951 (P.L.90, No.21), entitled, as reenacted, "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," further providing for surrender of club licenses for benefit of licensees.

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

Section 1. Section 474 of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, reenacted and amended June 29, 1987 (P.L.32, No.14), is amended to read:

Section 474. Surrender of Club Licenses for Benefit of Licensees.--Whenever a club license has been returned to the board for the benefit of the licensee due to the licensed establishment not having been in operation for any reason whatsoever for a period of time not exceeding fifteen days, the license shall be held by the board for the benefit of the licensee for a period of time not exceeding one year, or, upon proper application to the board, for an additional year, and the license shall be revoked at the termination of the period, and transfer of the license shall not be permitted after the termination of the period. If a club license has been returned to the board for the benefit of the licensee due to the licensed establishment not being available because of a fire, flood or other similar natural disaster and the licensed establishment remains unavailable at the end of the initial one-year period, the board shall extend the period for additional years, not to exceed three additional years, upon proper annual application to the board.

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