

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1005 Session of 2011

INTRODUCED BY BLAKE, APRIL 25, 2011

REFERRED TO LAW AND JUSTICE, APRIL 25, 2011

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," in
 17 preliminary provisions, further defining "eligible entity."

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

20 Section 1. The definition of "eligible entity" in section
 21 102 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 June 25, 2010 (P.L.217, No.35), is amended to read:

24 Section 102. Definitions.--The following words or phrases,
 25 unless the context clearly indicates otherwise, shall have the
 26 meanings ascribed to them in this section:

1 * * *

2 "Eligible entity" shall mean a city of the third class, a
3 hospital, a church, a synagogue, a volunteer fire company, a
4 volunteer ambulance company, a volunteer rescue squad, a unit of
5 a nationally chartered club which has been issued a club liquor
6 license, a club in a city of the third class which has been
7 issued a club liquor license and which, as of December 31, 2002,
8 has been in existence for at least 100 years, a library, a
9 nationally accredited Pennsylvania nonprofit zoological
10 institution licensed by the United States Department of
11 Agriculture, a nonprofit agricultural association in existence
12 for at least ten years, a bona fide sportsmen's club in
13 existence for at least ten years, a nationally chartered
14 veterans' organization and any affiliated lodge or subdivision
15 of such organization, a fraternal benefit society that is
16 licensed to do business in this Commonwealth and any affiliated
17 lodge or subdivision of such fraternal benefit society, a museum
18 operated by a nonprofit corporation in a city of the third class
19 or township of the first class, a nonprofit corporation engaged
20 in the performing arts in a city of the third class, borough or
21 in an incorporated town, an arts council, a nonprofit
22 corporation that operates an arts facility or museum in a city
23 of the third class in the county of the fourth class, a
24 nonprofit organization as defined under section 501(c)(3) of the
25 Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. §
26 501(c)(3)) whose purpose is to protect the architectural
27 heritage of boroughs or a township of the second class and which
28 has been recognized as such by a municipal resolution, a
29 nonprofit organization as defined under section 501(c)(3) of the
30 Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. §

1 501(c)(3)) conducting a regatta in a city of the second class
2 with the permit to be used on State park grounds or conducting a
3 family-oriented celebration as part of Welcome America in a city
4 of the first class on property leased from that city for more
5 than fifty years, a nonprofit organization as defined under
6 section 501(c)(3) of the Internal Revenue Code of 1986 (26
7 U.S.C. § 501(c)(3)) whose purpose is to raise funds for the
8 research and treatment of cystic fibrosis, a nonprofit
9 organization as defined under section 501(c)(3) of the Internal
10 Revenue Code of 1986 (26 U.S.C. § 501(c)(3)) whose purpose is to
11 educate the public on issues dealing with watershed
12 conservation, a nonprofit organization as defined under section
13 501(c)(3) of the Internal Revenue Code of 1986 (Public Law
14 99-514, 26 U.S.C. § 501(c)(3)) whose purpose is to provide
15 equine assisted activities for children and adults with special
16 needs, a nonprofit economic development agency in a city of the
17 second class with the primary function to serve as an economic
18 generator for the greater southwestern Pennsylvania region by
19 attracting and supporting film, television and related media
20 industry projects and coordinating government and business
21 offices in support of a production, a county tourist promotion
22 agency as defined in section 3(1) of the act of April 28, 1961
23 (P.L.111, No.50), known as the "Tourist Promotion Law," and
24 located in a city of the third class in a county of the fourth
25 class or located in a township of the second class in a county
26 of the fifth class, a junior league in a third class county that
27 is a nonprofit organization as defined under section 501(c)(3)
28 of the Internal Revenue Code of 1986 (26 U.S.C. § 501(c)(3))
29 that is comprised of women whose purpose is exclusively
30 educational and charitable in promoting the volunteerism of

1 women and developing and participating in community projects and
2 that has been in existence for over seventy years, a nonprofit
3 organization as defined under section 501(c)(3) of the Internal
4 Revenue Code of 1986 which is located in counties of the second
5 class A or of the third class and whose purpose is the education
6 and promotion of American history, a nonprofit organization as
7 defined under section 501(c)(6) of the Internal Revenue Code of
8 1986 which is located in a city of the third class in a county
9 of the third class and whose purpose is to support business and
10 industry, a brewery which has been issued a license to
11 manufacture malt or brewed beverages and has been in existence
12 for at least 100 years or a club recognized by Rotary
13 International which is located in a county of the fourth class
14 and whose purpose is to provide service to others, to promote
15 high ethical standards and to advance world understanding,
16 goodwill and peace through its fellowship of business,
17 professional and community leaders or a nonprofit organization
18 as defined under section 501(c)(3) of the Internal Revenue Code
19 of 1986 (Public Law 99-514, 26 U.S.C. § 501(c)(3)) which is
20 located in a borough in a county of the third class and whose
21 purpose is to promote mushrooms while supporting local and
22 regional charities or a museum operated by a not-for-profit
23 corporation in a city of the second class A and a nonprofit
24 organization as defined under section 501(c)(3) of the Internal
25 Revenue Code of 1986 (26 U.S.C. § 501(c)(3)) which is located in
26 a city of the second class A and has as its purpose economic and
27 community development.

28 * * *

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