

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 763 Session of 2019

INTRODUCED BY O'NEAL, PYLE, ROTHMAN, IRVIN, BERNSTINE, MULLERY, HILL-EVANS AND KENYATTA, MARCH 8, 2019

SENATOR STEFANO, LAW AND JUSTICE, IN SENATE, AS AMENDED, OCTOBER 5, 2020

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," in
17 licenses and regulations and liquor, alcohol and malt and
18 brewed beverages, further providing for authority to issue
19 liquor licenses to hotels, restaurants and clubs, for sales
20 by liquor licensees and restrictions, for sale of malt or
21 brewed beverages by liquor licensees, FOR INTERLOCKING <--
22 BUSINESS PROHIBITED, for retail dispensers' restrictions on
23 purchases and sales, for unlawful acts relative to malt or
24 brewed beverages and licensees, FOR UNLAWFUL ACTS RELATIVE TO <--
25 LIQUOR, MALT AND BREWED BEVERAGES AND LICENSEES and for
26 premises to be vacated by patrons.

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

29 Section 1. Sections 401(a), 406(a)(4), 407(a), 442(a)(1), <--

1 ~~492(7) and 499(a.1)(4) of the act of April 12, 1951 (P.L.90,~~  
2 ~~No.21), known as the Liquor Code, are amended to read:~~

3 SECTION 1. SECTIONS 401(A), 406(A)(4) AND 407(A) OF THE ACT <--  
4 OF APRIL 12, 1951 (P.L.90, NO.21), KNOWN AS THE LIQUOR CODE, ARE  
5 AMENDED TO READ:

6 Section 401. Authority to Issue Liquor Licenses to Hotels,  
7 Restaurants and Clubs.--(a) Subject to the provisions of this  
8 act and regulations promulgated under this act, the board shall  
9 have authority to issue a retail liquor license for any premises  
10 kept or operated by a hotel, restaurant or club and specified in  
11 the license entitling the hotel, restaurant or club to purchase  
12 liquor from a Pennsylvania Liquor Store and to keep on the  
13 premises such liquor and, subject to the provisions of this act  
14 and the regulations made thereunder, to sell the same and also  
15 malt or brewed beverages to guests, patrons or members for  
16 consumption on the hotel, restaurant or club premises. Such  
17 licensees[, other than clubs,] shall be permitted to sell malt  
18 or brewed beverages for consumption off the premises where sold  
19 in quantities of not more than one hundred ninety-two fluid  
20 ounces in a single sale to one person as provided for in section  
21 407. Such licenses shall be known as hotel liquor licenses,  
22 restaurant liquor licenses and club liquor licenses,  
23 respectively. No person who holds any public office that  
24 involves the duty to enforce any of the penal laws of the United  
25 States, this Commonwealth or of any political subdivision of  
26 this Commonwealth may have any interest in a hotel or restaurant  
27 liquor license. This prohibition applies to anyone with arrest  
28 authority, including, but not limited to, United States  
29 attorneys, State attorneys general, district attorneys, sheriffs  
30 and police officers. This prohibition shall also apply to

1 magisterial district judges, judges or any other individuals who  
2 can impose a criminal sentence. This prohibition does not apply  
3 to members of the General Assembly, township supervisors, city  
4 councilpersons, mayors without arrest authority and any other  
5 public official who does not have the ability to arrest or the  
6 ability to impose a criminal sentence. This section does not  
7 apply if the proposed premises are located outside the  
8 jurisdiction of the individual in question.

9 \* \* \*

10 Section 406. Sales by Liquor Licensees; Restrictions.--(a)

11 \* \* \*

12 (4) (i) Hotel and restaurant liquor licensees, municipal  
13 golf course restaurant liquor licensees and privately-owned  
14 public golf course restaurant licensees which do not qualify for  
15 and purchase such special permit, their servants, agents or  
16 employes may sell liquor and malt or brewed beverages only after  
17 seven o'clock antemeridian of any day and until two o'clock  
18 antemeridian of the following day, and shall not sell after two  
19 o'clock antemeridian on Sunday. No club licensee or its  
20 servants, agents or employes may sell liquor or malt or brewed  
21 beverages between the hours of three o'clock antemeridian and  
22 seven o'clock antemeridian on any day. No public service liquor  
23 licensee or its servants, agents, or employes may sell liquor or  
24 malt or brewed beverages between the hours of two o'clock  
25 antemeridian and seven o'clock antemeridian on any day.

26 (ii) No club licensee or its servants, agents or employes  
27 may sell ~~liquor or~~ malt or brewed beverages for off-premises <--  
28 consumption between the hours of two o'clock antemeridian and  
29 seven o'clock antemeridian on any day.

30 \* \* \*

1 Section 407. Sale of Malt or Brewed Beverages by Liquor  
2 Licensees.--(a) Every liquor license issued to a hotel,  
3 restaurant, club, or a railroad, pullman or steamship company  
4 under this subdivision (A) for the sale of liquor shall  
5 authorize the licensee to sell malt or brewed beverages at the  
6 same places but subject to the same restrictions and penalties  
7 as apply to sales of liquor, except that licensees [other than  
8 clubs] may sell malt or brewed beverages for consumption off the  
9 premises where sold in quantities of not more than one hundred  
10 ninety-two fluid ounces in a single sale to one person. The  
11 sales may be made in either open or closed containers, Provided,  
12 however, That a municipality may adopt an ordinance restricting  
13 open containers in public places. No licensee under this  
14 subdivision (A) shall at the same time be the holder of any  
15 other class of license, except a retail dispenser's license  
16 authorizing the sale of malt or brewed beverages only.

17 \* \* \*

18 SECTION 2. SECTION 411(E) OF THE ACT IS AMENDED AND THE <--  
19 SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

20 SECTION 411. INTERLOCKING BUSINESS PROHIBITED.--\* \* \*

21 (E) EXCEPT AS HEREIN PROVIDED, NO HOTEL, RESTAURANT, RETAIL  
22 DISPENSER OR CLUB LICENSEE, AND NO OFFICER, DIRECTOR OR  
23 STOCKHOLDER, AGENT OR EMPLOYE OF ANY SUCH LICENSEE SHALL IN ANY  
24 WISE BE INTERESTED, DIRECTLY OR INDIRECTLY, IN THE OWNERSHIP OR  
25 LEASEHOLD OF ANY PROPERTY OR THE EQUIPMENT OF ANY PROPERTY OR  
26 ANY MORTGAGE LIEN AGAINST THE SAME, USED BY A DISTRIBUTOR,  
27 IMPORTING DISTRIBUTOR, OR BY AN IMPORTER OR SACRAMENTAL WINE  
28 LICENSEE, IN THE CONDUCT OF HIS BUSINESS; NOR SHALL ANY HOTEL,  
29 RESTAURANT, RETAIL DISPENSER OR CLUB LICENSEE, OR ANY OFFICER,  
30 DIRECTOR, STOCKHOLDER, AGENT OR EMPLOYE OF ANY SUCH LICENSEE,

1 EITHER DIRECTLY OR INDIRECTLY, LEND ANY MONEYS, CREDIT, OR GIVE  
2 ANYTHING OF VALUE OR THE EQUIVALENT THEREOF, TO ANY DISTRIBUTOR,  
3 IMPORTING DISTRIBUTOR, IMPORTER OR SACRAMENTAL WINE LICENSEE,  
4 FOR EQUIPPING, FITTING OUT, OR MAINTAINING AND CONDUCTING,  
5 EITHER IN WHOLE OR IN PART, AN ESTABLISHMENT USED IN THE CONDUCT  
6 OF HIS BUSINESS.

7 THE PURPOSE OF THIS SECTION IS TO REQUIRE A SEPARATION OF THE  
8 FINANCIAL AND BUSINESS INTERESTS BETWEEN MANUFACTURERS AND  
9 HOLDERS OF HOTEL OR RESTAURANT LIQUOR LICENSES AND, AS HEREIN  
10 PROVIDED, OF CLUB LICENSES, ISSUED UNDER THIS ARTICLE, AND NO  
11 PERSON SHALL, BY ANY DEVICE WHATSOEVER, DIRECTLY OR INDIRECTLY,  
12 EVADE THE PROVISIONS OF THE SECTION. BUT IN VIEW OF EXISTING  
13 ECONOMIC CONDITIONS, NOTHING CONTAINED IN THIS SECTION SHALL BE  
14 CONSTRUED TO PROHIBIT THE OWNERSHIP OF PROPERTY OR CONFLICTING  
15 INTEREST BY A MANUFACTURER OF ANY PLACE OCCUPIED BY A LICENSEE  
16 UNDER THIS ARTICLE AFTER THE MANUFACTURER HAS CONTINUOUSLY OWNED  
17 AND HAD A CONFLICTING INTEREST IN SUCH PLACE FOR A PERIOD OF AT  
18 LEAST FIVE YEARS PRIOR TO JULY EIGHTEENTH, ONE THOUSAND NINE  
19 HUNDRED THIRTY-FIVE: PROVIDED, HOWEVER, THAT THIS CLAUSE SHALL  
20 NOT PROHIBIT ANY HOTEL, RESTAURANT OR CLUB LIQUOR LICENSEE, OR  
21 ANY OFFICER, DIRECTOR OR STOCKHOLDER OF ANY SUCH LICENSEE, FROM  
22 OWNING LAND OR BUILDINGS WHICH ARE LEASED TO A HOLDER OF A  
23 RETAIL DISPENSER'S LICENSE OR A MANUFACTURER'S LICENSE: AND,  
24 PROVIDED FURTHER, THAT NOTHING CONTAINED IN THIS SECTION SHALL  
25 BE CONSTRUED TO PROHIBIT ANY HOTEL, RESTAURANT, RETAIL DISPENSER  
26 OR CLUB LICENSEE OR ANY OFFICER, DIRECTOR OR STOCKHOLDER, AGENT  
27 OR EMPLOYE OF ANY SUCH LICENSEE FROM HAVING A FINANCIAL OR OTHER  
28 INTEREST, DIRECTLY OR INDIRECTLY IN THE OWNERSHIP OR LEASEHOLD  
29 OF ANY PROPERTY OR THE EQUIPMENT OF ANY PROPERTY OR ANY MORTGAGE  
30 LIEN AGAINST SAME, USED, LEASED BY AN IMPORTER OR SACRAMENTAL

1 WINE LICENSEE FOR THE EXCLUSIVE PURPOSE OF MAINTAINING  
2 COMMERCIAL OFFICES AND ON THE CONDITION THAT SAID PROPERTY IS  
3 NOT USED FOR THE STORAGE OR SALE OF LIQUOR OR MALT OR BREWED  
4 BEVERAGES IN ANY QUANTITY: AND, PROVIDED FURTHER, THAT NOTHING  
5 CONTAINED IN THIS SECTION SHALL PROHIBIT AN OFFICER OR MEMBER OF  
6 A LICENSED PRIVATELY OWNED PRIVATE GOLF COURSE CATERING CLUB  
7 FROM HAVING AN INTEREST IN A LIMITED WINERY LICENSE: AND,  
8 PROVIDED FURTHER, THAT NOTHING CONTAINED IN THIS SECTION SHALL  
9 BE CONSTRUED TO PROHIBIT A MEMBER OF THE GOVERNING BOARD OF A  
10 PUBLIC AUTHORITY CREATED UNDER SUBDIVISION (N) OF ARTICLE XXIII  
11 OF THE ACT OF AUGUST 9, 1955 (P.L.323, NO.130), KNOWN AS "THE  
12 COUNTY CODE," FROM HAVING AN INTEREST IN A DISTRIBUTOR OR  
13 IMPORTING DISTRIBUTOR LICENSE NOTWITHSTANDING THE FACT THAT THE  
14 PUBLIC AUTHORITY HAS AN INTEREST IN ONE OR MORE RETAIL LICENSES  
15 OR ACTS AS A LANDLORD FOR ONE OR MORE RETAIL LICENSES: AND,  
16 PROVIDED FURTHER, THAT, NOTHING IN THIS SECTION MAY PROHIBIT AN  
17 EMPLOYEE OF A HOTEL OR RESTAURANT LICENSEE FROM GUARANTEEING ANY  
18 LOANS, OR LENDING ANY MONEYS, PROVIDING CREDIT OR GIVING  
19 ANYTHING OF VALUE TO A LIMITED WINERY LICENSEE OR ITS OFFICERS,  
20 DIRECTORS AND SHAREHOLDERS, PROVIDED THAT THE PERSON ALSO IS NOT  
21 AN OFFICER OF OR DOES NOT HAVE ANY INTEREST IN OR EXERCISE ANY  
22 CONTROL OVER ANY OTHER LICENSED ENTITY THAT ENGAGES IN ANY SALES  
23 TO OR FROM THE LICENSEE: AND, PROVIDED FURTHER, THAT,  
24 NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, AN ENTITY  
25 MAY ACQUIRE BOTH A MANUFACTURER'S LICENSE OR A LIMITED WINERY  
26 LICENSE AND A HOTEL, RESTAURANT OR RETAIL DISPENSER LICENSE FOR  
27 USE AT THE SAME LOCATION AND MORE THAN ONE LOCATION MAY BE SO  
28 LICENSED. AND, PROVIDED FURTHER, THAT, NOTWITHSTANDING ANY OTHER  
29 PROVISION OF THIS SECTION, AN ENTITY LICENSED AS A LIMITED  
30 WINERY MAY HOLD AND OPERATE A RESTAURANT LIQUOR LICENSE AT ONE

1 OF ITS ADDITIONAL, BOARD-APPROVED LOCATIONS INSTEAD OF AT ITS  
2 PRIMARY LOCATION WHERE MANUFACTURING OCCURS. THE LICENSES AND A  
3 PERSON'S INTEREST IN THE LICENSES OR IN THE ENTITY HOLDING THE  
4 LICENSES SHALL NOT BE SUBJECT TO THIS SECTION. PROVIDED FURTHER,  
5 THAT, A PERSON WHO IS A HOLDER OF TEN PER CENTUM (10%) OR LESS  
6 OF SECURITIES OR OTHER INTERESTS IN A PUBLICLY OR PRIVATELY HELD  
7 DOMESTIC OR FOREIGN CORPORATION, PARTNERSHIP, LIMITED LIABILITY  
8 COMPANY OR OTHER FORM OF LEGAL ENTITY OWNING A RETAIL LICENSE  
9 SHALL NOT BE DEEMED TO POSSESS A FINANCIAL INTEREST AND IS NOT  
10 SUBJECT TO THE PROVISIONS OF THIS SECTION, PROVIDED THAT THE  
11 PERSON IS NOT AN OFFICER OF, EMPLOYE OF OR DOES NOT HAVE ANY  
12 INTEREST IN OR EXERCISE ANY CONTROL OVER ANY OTHER LICENSED  
13 ENTITY THAT ENGAGES IN ANY SALES TO OR FROM THE RETAIL LICENSEE  
14 IN WHICH THE PERSON HOLDS THE TEN PER CENTUM (10%) OR LESS  
15 INTEREST. [ AND, PROVIDED FURTHER, THAT NOTHING IN THIS SECTION  
16 SHALL PROHIBIT A PERSON WHO HAS AN OWNERSHIP INTEREST IN A  
17 LIMITED WINERY LICENSE FROM BEING EMPLOYED BY AN ENTITY THAT  
18 HOLDS A HOTEL, RESTAURANT, EATING PLACE OR CLUB LICENSE IF THE  
19 PERSON IS NOT EMPLOYED AS ALCOHOL SERVICE PERSONNEL OR AS  
20 MANAGER. ]

21 (E.1) NOTHING IN SUBSECTION (E) SHALL PROHIBIT ANY OF THE  
22 FOLLOWING:

23 (1) A PERSON WHO HAS AN OWNERSHIP INTEREST IN A LIMITED  
24 WINERY LICENSE FROM BEING EMPLOYED BY AN ENTITY THAT HOLDS A  
25 HOTEL, RESTAURANT, EATING PLACE OR CLUB LICENSE IF THE PERSON IS  
26 NOT EMPLOYED AS ALCOHOL SERVICE PERSONNEL OR AS MANAGER.

27 (2) A PERSON WHO HAS AN OWNERSHIP INTEREST IN A BREWERY  
28 LICENSE FROM BEING EMPLOYED BY AN ENTITY THAT HOLDS A HOTEL,  
29 RESTAURANT, EATING PLACE OR CLUB LICENSE IF THE PERSON HAS NO  
30 JOB DUTIES OR RESPONSIBILITIES ON, OR CONNECTED WITH, THE

1 LICENSED PREMISES IN ANY CAPACITY.

2 \* \* \*

3 SECTION 3. SECTION 442(A)(1), 492(7), 493(11) AND 499(A.1)  
4 (4) OF THE ACT ARE AMENDED TO READ:

5 Section 442. Retail Dispensers' Restrictions on Purchases  
6 and Sales.--(a) (1) No retail dispenser shall purchase or  
7 receive any malt or brewed beverages except in original  
8 containers as prepared for the market by the manufacturer at the  
9 place of manufacture. The retail dispenser may thereafter break  
10 the bulk upon the licensed premises and sell or dispense the  
11 same for consumption on or off the premises so licensed. No  
12 retail dispenser may sell malt or brewed beverages for  
13 consumption off the premises in quantities in excess of one  
14 hundred ninety-two fluid ounces. Sales may be made in open or  
15 closed containers, Provided, however, That a municipality may  
16 adopt an ordinance restricting open containers in public places.  
17 No club licensee may sell any malt or brewed beverages for  
18 consumption off the premises [where sold or] to persons not  
19 members of the club.

20 \* \* \*

21 Section 492. Unlawful Acts Relative to Malt or Brewed  
22 Beverages and Licensees.--

23 It shall be unlawful--

24 \* \* \*

25 (7) (i) Clubs Selling Between Three O'Clock Antemeridian  
26 and Seven O'Clock Antemeridian. For any club retail dispenser,  
27 or its servants, agents or employes, to sell malt or brewed  
28 beverages between the hours of three o'clock antemeridian and  
29 seven o'clock antemeridian on any day.

30 (ii) Clubs Selling Malt or Brewed Beverages for Off-Premises

1 Consumption between Two O'Clock Antemeridian and Seven O'Clock  
2 Antemeridian. For any club retail dispenser or its servants,  
3 agents or employes, to sell malt or brewed beverages for off-  
4 premises consumption between the hours of two o'clock  
5 antemeridian and seven o'clock antemeridian on any day.

6 \* \* \*

7 SECTION 493. UNLAWFUL ACTS RELATIVE TO LIQUOR, MALT AND <--  
8 BREWED BEVERAGES AND LICENSEES.--THE TERM "LICENSEE," WHEN USED  
9 IN THIS SECTION, SHALL MEAN THOSE PERSONS LICENSED UNDER THE  
10 PROVISIONS OF ARTICLE IV, UNLESS THE CONTEXT CLEARLY INDICATES  
11 OTHERWISE.

12 IT SHALL BE UNLAWFUL--

13 \* \* \*

14 (11) LICENSEES EMPLOYED BY OTHERS. FOR ANY HOTEL, RESTAURANT  
15 OR CLUB LIQUOR LICENSEE, OR ANY MALT OR BREWED BEVERAGE  
16 LICENSEE, OR ANY OFFICER, SERVANT, AGENT OR EMPLOYE OF SUCH  
17 LICENSEE, TO BE AT THE SAME TIME EMPLOYED, DIRECTLY OR  
18 INDIRECTLY, BY ANY DISTRIBUTOR, IMPORTING DISTRIBUTOR,  
19 MANUFACTURER, IMPORTER OR VENDOR LICENSEE OR ANY OUT OF STATE  
20 MANUFACTURER. IT SHALL ALSO BE UNLAWFUL FOR ANY DISTRIBUTOR OR  
21 IMPORTING DISTRIBUTOR, OR ANY OFFICER, SERVANT, AGENT OR EMPLOYE  
22 OF SUCH LICENSEE, TO BE AT THE SAME TIME EMPLOYED, DIRECTLY OR  
23 INDIRECTLY, BY ANY OTHER DISTRIBUTOR, IMPORTING DISTRIBUTOR,  
24 MANUFACTURER, IMPORTER, VENDOR, OUT OF STATE MANUFACTURER, HOTEL  
25 RESTAURANT, MALT OR BREWED BEVERAGE LICENSEE, OR CLUB LIQUOR  
26 LICENSEE. IT SHALL ALSO BE UNLAWFUL FOR ANY MANUFACTURER,  
27 IMPORTER, OR VENDOR LICENSEE, OR ANY OUT OF STATE MANUFACTURER,  
28 OR ANY OFFICER, SERVANT, AGENT OR EMPLOYE OF SUCH LICENSEE OR  
29 MANUFACTURER, TO BE AT THE SAME TIME EMPLOYED, DIRECTLY OR  
30 INDIRECTLY, BY ANY HOTEL, RESTAURANT OR CLUB LIQUOR LICENSEE OR

1 ANY MALT OR BREWED BEVERAGE LICENSEE OR ANY DISTRIBUTOR OR  
2 IMPORTING DISTRIBUTOR LICENSEE. NOTHING IN THIS SUBSECTION SHALL  
3 BE CONSTRUED TO PROHIBIT A MANUFACTURER OR LIMITED WINERY  
4 LICENSEE, OR ANY OFFICER, SERVANT, AGENT OR EMPLOYE OF SUCH  
5 LICENSEE, TO BE EMPLOYED AT THE SAME TIME BY A HOTEL, RESTAURANT  
6 OR RETAIL DISPENSER LICENSEE IF THE HOTEL, RESTAURANT OR RETAIL  
7 DISPENSER LICENSEE IS LOCATED AT THE MANUFACTURER OR LIMITED  
8 WINERY PREMISES PURSUANT TO SECTION 443. FOR THE PURPOSES OF  
9 THIS SUBSECTION, AN OFFICER, SERVANT, AGENT OR EMPLOYE OF A  
10 LICENSEE OR MANUFACTURER IS AN INDIVIDUAL WHO HAS EITHER AN  
11 OWNERSHIP INTEREST IN THE LICENSEE OR MANUFACTURER OR WHO  
12 RECEIVES COMPENSATION FOR HIS OR HER WORK ON BEHALF OF THE  
13 LICENSEE OR MANUFACTURER: PROVIDED FURTHER, THAT NOTHING IN THIS  
14 SECTION SHALL PROHIBIT A PERSON WHO HAS AN OWNERSHIP INTEREST IN  
15 A LIMITED WINERY LICENSE FROM BEING EMPLOYED BY AN ENTITY THAT  
16 HOLDS A HOTEL, RESTAURANT, EATING PLACE OR CLUB LICENSE IF THE  
17 PERSON IS NOT EMPLOYED AS ALCOHOL SERVICE PERSONNEL OR AS A  
18 MANAGER[.]: AND, PROVIDED FURTHER, THAT NOTHING IN THIS SECTION  
19 SHALL PROHIBIT A PERSON WHO HAS AN OWNERSHIP INTEREST IN A  
20 BREWERY LICENSE FROM BEING EMPLOYED BY AN ENTITY THAT HOLDS A  
21 HOTEL, RESTAURANT, EATING PLACE OR CLUB LICENSE IF THE PERSON  
22 HAS NO JOB DUTIES OR RESPONSIBILITIES ON, OR CONNECTED WITH, THE  
23 LICENSED PREMISES IN ANY CAPACITY.

24 \* \* \*

25 Section 499. Premises to be Vacated by Patrons.--\* \* \*

26 (a.1) Subsection (a) shall not apply to sales of malt and  
27 brewed beverages for consumption off the premises when the  
28 following conditions are met:

29 \* \* \*

30 (4) no club licensee may sell any malt or brewed beverage

1 for consumption off the premises [where sold or] to any persons  
2 who are not members of the club.

3 \* \* \*

4 Section ~~2~~ 4. This act shall take effect in 30 days. <--