

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2175 Session of
2021

INTRODUCED BY MAJOR, ECKER, HENNESSEY, JOZWIAK, MILLARD,
ROTHMAN, ROWE, SAYLOR AND SMITH, DECEMBER 16, 2021

REFERRED TO COMMITTEE ON LIQUOR CONTROL, DECEMBER 16, 2021

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 preliminary provisions, further providing for definitions.

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, is amended to read:

23 Section 102. Definitions.--The following words or phrases,
24 unless the context clearly indicates otherwise, shall have the
25 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 which has been issued a club liquor license and
7 which, as of December 31, 2002, has been in existence for at
8 least 100 years, a library, a nationally accredited Pennsylvania
9 nonprofit zoological institution licensed by the United States
10 Department of Agriculture, a nonprofit agricultural association
11 in existence for at least ten years, a bona fide sportsmen's
12 club in existence for at least ten years, a nationally chartered
13 veterans' organization and any affiliated lodge or subdivision
14 of such organization, a fraternal benefit society that is
15 licensed to do business in this Commonwealth and any affiliated
16 lodge or subdivision of such fraternal benefit society, any
17 nationally recognized community-based voluntary health
18 organization committed to fighting cancer, which has been in
19 existence for at least 100 years, a museum operated by a
20 nonprofit corporation, a nonprofit corporation engaged in the
21 performing arts, an arts council, a nonprofit corporation that
22 operates an arts facility or museum, a nonprofit organization as
23 defined under section 501(c)(3) of the Internal Revenue Code of
24 1986 (Public Law 99-514, 26 U.S.C. § 501(c)(3)) whose purpose is
25 to protect the architectural heritage of a municipality and
26 which has been recognized as such by a resolution of the
27 municipality, a nonprofit organization as defined under section
28 501(c)(3) of the Internal Revenue Code of 1986 (Public Law 99-
29 514, 26 U.S.C. § 501(c)(3)) conducting a regatta in a city of
30 the second class with the permit to be used on State park

1 grounds or conducting a family-oriented celebration as part of
2 Welcome America in a city of the first class on property leased
3 from that city for more than fifty years, a nonprofit
4 organization as defined under section 501(c)(3) of the Internal
5 Revenue Code of 1986 (26 U.S.C. § 501(c)(3)) whose purpose is to
6 raise funds for the research and treatment of cystic fibrosis, a
7 nonprofit organization as defined under section 501(c)(3) of the
8 Internal Revenue Code of 1986 (26 U.S.C. § 501(c)(3)) whose
9 purpose is to educate the public on issues dealing with
10 watershed conservation, a nonprofit organization as defined
11 under section 501(c)(3) of the Internal Revenue Code of 1986
12 (Public Law 99-514, 26 U.S.C. § 501(c)(3)) whose purpose is to
13 provide equine assisted activities for children and adults with
14 special needs, a nonprofit economic development agency in a city
15 of the second class with the primary function to serve as an
16 economic generator for the greater southwestern Pennsylvania
17 region by attracting and supporting film, television and related
18 media industry projects and coordinating government and business
19 offices in support of a production, a county tourist promotion
20 agency as defined in section 2 of the act of July 4, 2008
21 (P.L.621, No.50), known as the "Tourism Promotion Act," a junior
22 league that is a nonprofit organization as defined under section
23 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. §
24 501(c)(3)) that is comprised of women whose purpose is
25 exclusively educational and charitable in promoting the
26 volunteerism of women and developing and participating in
27 community projects and that has been in existence for over
28 seventy years, a nonprofit organization as defined under section
29 501(c)(3) of the Internal Revenue Code of 1986 and whose purpose
30 is the education and promotion of American history, a nonprofit

organization as defined under section 501(c)(6) of the Internal Revenue Code of 1986 whose purpose is to support business and industry, a brewery which has been issued a license to manufacture malt or brewed beverages and has been in existence for at least 100 years or a club recognized by Rotary International and whose purpose is to provide service to others, to promote high ethical standards and to advance world understanding, goodwill and peace through its fellowship of business, professional and community leaders or a nonprofit organization as defined under section 501(c)(3) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 501(c)(3)) whose purpose is to promote mushrooms while supporting local and regional charities, a museum operated by a not-for-profit corporation in a city of the second class A, a nonprofit organization as defined under section 501(c)(3) of the Internal Revenue Code of 1986 which is located in a city of the second class A and has as its purpose economic and community development, a nonprofit organization as defined under section 501(c)(3) or (6) of the Internal Revenue Code of 1986 that is located in a city of the third class in a county of the fifth class, a nonprofit social service organization defined under section 501(c)(3) of the Internal Revenue Code of 1986 located in a county of the third class whose purpose is to serve individuals and families in that county of the third class, a nonprofit organization as defined under section 501(c)(3) of the Internal Revenue Code of 1986 whose main purpose is to temporarily foster stray and unwanted animals and match them to suitable permanent homes or a nonprofit organization as defined under section 501(c)(3) of the Internal Revenue Code of 1986 who operates either a Main Street Program or Elm Street Program

1 recognized by the Commonwealth, the National Trust for Historic
2 Preservation or both, a nonprofit radio station that is a member
3 of the National Public Radio network, a nonprofit public
4 television station that is a member of the Pennsylvania Public
5 Television Network or a nonprofit organization as defined under
6 section 501(c)(3) of the Internal Revenue Code of 1986 whose
7 purpose is to promote awareness, education and research and to
8 provide a support system for patients with neutropenia and their
9 families through a national resource network, a nonprofit
10 organization as defined under section 501(c)(3) of the Internal
11 Revenue Code of 1986 whose main purpose is to stimulate
12 community development by facilitating residential and retail
13 growth in a city of the second class located in a county of the
14 second class or a nonprofit community development corporation
15 organized under section 501(c)(3) of the Internal Revenue Code
16 of 1986 that serves an adjoining borough and township in a
17 county of the second class and whose main purpose is to
18 facilitate commercial development and foster neighborhood
19 stabilization, a nonprofit organization as defined under section
20 501(c)(3) of the Internal Revenue Code of 1986 whose purpose is
21 to provide young people with a program to build character, to
22 teach the responsibilities of citizenship and to develop
23 personal fitness with a goal of creating future leaders, a
24 nonprofit as defined in section 501(c)(3) of the Internal
25 Revenue Code of 1986 whose main purpose is to assist children
26 and their families who are facing financial hardship due to the
27 death of a parent, a nonprofit as defined under section 501(c)
28 (3) of the Internal Revenue Code of 1986 whose purpose is to
29 allocate funds for research to expedite a cure achromatopsia, a
30 nonprofit organization as defined under section 501(c)(3) of the

Internal Revenue Code of 1986 that is located in a city of the first class, was organized as a community development organization to promote health, safety and welfare of the residents, businesses and institutions of a neighborhood of a city of the first class, and whose works include public promotions, neighborhood improvement projects and commercial corridor improvements, including a business improvement district, or a nonprofit organization as defined under section 501(c)(3) of the Internal Revenue Code of 1986 that is responsible for providing services to members of the armed forces of the United States and relief to disaster victims in the United States and abroad, or any neighborhood improvement district management association as defined in section 3 of the act of December 20, 2000 (P.L.949, No.130), known as the "Neighborhood Improvement District Act," that has been established as a 501(c)(3) nonprofit organization under section 501(c)(3) of the Internal Revenue Code of 1986, a nonprofit organization as defined under section 501(c)(3) of the Internal Revenue Code of 1986 located in a city of the first class whose purpose is to support initiatives to enrich the lives of children, teens and families especially those in need, to reach their full potential as productive and responsible citizens and has been in existence for at least seventy-five years, or a nonprofit organization as defined under section 501(c)(3) of the Internal Revenue Code of 1986 located in a city of the second class and incorporated as a nonprofit in 1982 that offers adult education and family literacy, or a nonprofit organization as defined under section 501(c)(3) of the Internal Revenue Code of 1986 located in a city of the third class and county of the sixth class, whose purpose is primary and secondary education

1 and educational ministry of the Diocese of Erie, a nonprofit
2 organization as defined under section 501(c)(3) of the Internal
3 Revenue Code located in a county of the fourth class that had a
4 population between 142,000 and 144,000 based on the 2010
5 Decennial Census of the Bureau of the Census and provides
6 rewards for information that leads to the arrest of individuals
7 that may have committed a crime or a nonprofit organization as
8 defined under section 501(c)(3) of the Internal Revenue Code of
9 1986 which is located in a city of the third class in a county
10 of the fifth class whose mission is to improve the quality of
11 life for individuals with developmental disabilities and the
12 families of the individuals through advocacy, education, support
13 and socialization and that has been in existence for over sixty
14 years.] shall mean a city of the third class, a hospital, a
15 church, a synagogue, a volunteer fire company, a volunteer
16 ambulance company, a volunteer rescue squad, a unit of a
17 nationally chartered club which has been issued a club liquor
18 license, a club which has been issued a club liquor license and
19 which, as of December 31, 2002, has been in existence for at
20 least 100 years, a library, a nationally accredited Pennsylvania
21 nonprofit zoological institution licensed by the United States
22 Department of Agriculture, a nonprofit agricultural association
23 in existence for at least ten years, a bona fide sportsmen's
24 club in existence for at least ten years, a nationally chartered
25 veterans' organization and any affiliated lodge or subdivision
26 of such organization, a fraternal benefit society that is
27 licensed to do business in this Commonwealth and any affiliated
28 lodge or subdivision of such fraternal benefit society, any
29 nationally recognized community-based voluntary health
30 organization committed to fighting cancer which has been in

1 existence for at least 100 years, a museum operated by a
2 nonprofit corporation, a nonprofit corporation engaged in the
3 performing arts, an arts council, a nonprofit corporation that
4 operates an arts facility or museum, a nonprofit organization as
5 defined under section 501(c)(6) of the Internal Revenue Code of
6 1986 (Public Law 99-514, 26 U.S.C. § 501(c)(6)) whose purpose is
7 to support business and industry, a nonprofit organization as
8 defined under section 501(c)(3) or (6) of the Internal Revenue
9 Code of 1986 that is located in a city of the third class in a
10 county of the fifth class, a nonprofit economic development
11 agency in a city of the second class with the primary function
12 to serve as an economic generator for the greater southwestern
13 Pennsylvania region by attracting and supporting film,
14 television and related media industry projects and coordinating
15 government and business offices in support of a production, a
16 county tourist promotion agency as defined in section 2 of the
17 act of July 4, 2008 (P.L.621, No.50), known as the "Tourism
18 Promotion Act," a brewery which has been issued a license to
19 manufacture malt or brewed beverages and has been in existence
20 for at least 100 years or a club recognized by Rotary
21 International and whose purpose is to provide service to others,
22 to promote high ethical standards and to advance world
23 understanding, goodwill and peace through its fellowship of
24 business, professional and community leaders, a museum operated
25 by a not-for-profit corporation in a city of the second class A,
26 a nonprofit radio station that is a member of the National
27 Public Radio network, a nonprofit public television station that
28 is a member of the Pennsylvania Public Television Network or a
29 nonprofit organization as defined under section 501(c)(3) of the
30 Internal Revenue Code of 1986.

1 * * *

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