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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 522      Session of  
1997

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INTRODUCED BY GANNON, BOSCOLA, BENNINGHOFF, RAMOS, COLAIZZO,  
COY, STURLA, SATHER, DeLUCA, ROONEY, READSHAW, RUBLEY, BUNT,  
WOGAN, ADOLPH, SCHRODER, BARRAR, ITKIN, CIVERA, E. Z. TAYLOR,  
BELARDI, WALKO, TRELLO, COLAFELLA, HENNESSEY, SHANER,  
JOSEPHS, YOUNGBLOOD, J. TAYLOR, BELFANTI, MELIO, BROWNE,  
CARN, LAUGHLIN, McGEEHAN AND PETTIT, FEBRUARY 12, 1997

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REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 12, 1997

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AN ACT

1 Establishing a loan program to install safety devices and  
2 improve safety at convenience stores; providing for  
3 additional duties of the Attorney General; establishing the  
4 Mom and Pop Convenience Store Protection Fund; and making an  
5 appropriation.

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

8 Section 1. Short title.

9 This act shall be known and may be cited as the Mom and Pop  
10 Convenience Store Protection Act.

11 Section 2. Definitions.

12 The following words and phrases when used in this act shall  
13 have the meanings given to them in this section unless the  
14 context clearly indicates otherwise:

15 "Convenience store." A retail store that may sell fast  
16 foods, beverages, dairy products, publications, grocery items,  
17 snacks, some nonfood items and gasoline.

1 "Fund." The Mom and Pop Convenience Store Protection Fund.

2 Section 3. Program authority.

3 (a) General rule.--There is hereby established a loan  
4 program for convenience store owners to install security devices  
5 and improve safety in convenience stores. A loan shall not  
6 exceed \$15,000.

7 (b) Repayment and interest rate.--The Attorney General shall  
8 determine a repayment schedule of not more than five years and  
9 an interest rate not to exceed 3% for loans under this act.

10 Section 4. Eligibility for loans.

11 (a) General rule.--To be eligible to receive a loan, a  
12 convenience store owner shall submit an application to the  
13 Attorney General which shall include the following:

14 (1) An assurance that security devices purchased from  
15 funds received under this act shall be installed not later  
16 than 30 days after receipt of such funds.

17 (2) If practicable, an assurance that each store owner  
18 will maintain an unobstructed view of the cash register from  
19 the exterior of the store, removing any material that  
20 obstructs that view.

21 (3) An assurance from each owner that the loan shall be  
22 repaid in not more than 5 years.

23 (b) Eligibility.--To be eligible to receive a loan, a  
24 convenience store owner shall meet the following qualifications:

25 (1) The owner may not own more than five convenience  
26 stores.

27 (2) The gross receipts of any one store may not exceed  
28 \$700,000 for the preceding fiscal year, excluding proceeds  
29 from the sale of gasoline.

30 Section 5. Use of funds.

1 A loan received under this act shall be used to install any  
2 of the following:

3 (1) A video security system capable of 24-hour  
4 surveillance.

5 (2) A drop safe or cash management device with  
6 restricted access and posters that indicate not more than \$50  
7 is accessible to store personnel.

8 (3) A silent alarm system to alert local law enforcement  
9 officers of a problem.

10 (4) Height markers at store exits.

11 Section 6. Report.

12 The Attorney General shall submit an annual report to the  
13 chairman and minority chairman of the Judiciary Committee of the  
14 Senate and the chairman and the minority chairman of the  
15 Judiciary Committee of the House of Representatives regarding  
16 the number of loans, locations, amounts, terms and repayment  
17 record of convenience stores that receive funds under this act.

18 Section 7. Fund.

19 (a) Establishment.--There is hereby established a separate  
20 account in the State Treasury to be known as the Mom and Pop  
21 Convenience Store Protection Fund. This fund shall be used as  
22 the source for the loans made under this act.

23 (b) Funding.--There is hereby diverted from the tax  
24 collected under Article XII of the act of March 4, 1971 (P.L.6,  
25 No.2), known as the Tax Reform Code of 1971, the amount of one-  
26 tenth of a cent per cigarette. This diversion shall be made into  
27 the fund and shall continue until the amount in that fund equals  
28 \$2,000,000.

29 (c) Appropriation.--The moneys in the Mom and Pop  
30 Convenience Store Protection Fund are hereby appropriated to the

- 1 Attorney General on a continuing basis to carry out this act.
- 2 Section 8. Effective date.
- 3 This act shall take effect in 60 days.