
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1692 Session of
1999

INTRODUCED BY BLAUM, SERAFINI AND DONATUCCI, JUNE 16, 1999

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, NOVEMBER 8, 1999

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,"
17 further providing for sales by liquor licensees, for special
18 occasion permits, FOR PERFORMING ARTS FACILITIES and for wine <—
19 auction permits; authorizing a multipurpose county-owned
20 arena and convention center license AND A NATIONAL EVENT <—
21 PERMIT; and further providing for BREWERIES, FOR limiting <—
22 number of retail licenses in each municipality, for transfer
23 of licenses, for local option relating to special occasion
24 permits, for granting of liquor licenses in certain
25 municipalities, for unlawful acts relative to malt or brewed
26 beverages and licenses, for employment of minors and, for <—
27 penalties for the sale of liquor or malt or brewed beverage
28 without being licensed, FOR LIMITED WINERIES AND FOR <—
29 NUISANCES.

30 The General Assembly of the Commonwealth of Pennsylvania

1 hereby enacts as follows:

2 Section 1. Section 406(a)(1) of the act of April 12, 1951
3 (P.L.90, No.21), known as the Liquor Code, reenacted and amended
4 June 29, 1987 (P.L.32, No.14), is amended ~~and the subsection is~~ <—
5 ~~amended by adding a paragraph~~ to read:

6 Section 406. Sales by Liquor Licensees; Restrictions.--(a)
7 (1) Every hotel, restaurant or club liquor licensee may sell
8 liquor and malt or brewed beverages by the glass, open bottle or
9 other container, and in any mixture, for consumption only in
10 that part of the hotel or restaurant habitually used for the
11 serving of food to guests or patrons, or in a bowling alley that
12 is immediately adjacent to and under the same roof as a
13 restaurant when no minors are present, unless minors who are
14 present are under proper supervision as defined in section 493,
15 in the bowling alley, and in the case of hotels, to guests, and
16 in the case of clubs, to members, in their private rooms in the
17 hotel or club. No club licensee nor its officers, servants,
18 agents or employees, other than one holding a catering license,
19 shall sell any liquor or malt or brewed beverages to any person
20 except a member of the club. In the case of a restaurant located
21 in a hotel which is not operated by the owner of the hotel and
22 which is licensed to sell liquor under this act, liquor and malt
23 or brewed beverages may be sold for consumption in that part of
24 the restaurant habitually used for the serving of meals to
25 patrons and also to guests in private guest rooms in the hotel.
26 For the purpose of this paragraph, any person who is an active
27 member of another club which is chartered by the same state or
28 national organization shall have the same rights and privileges
29 as members of the particular club. For the purpose of this
30 paragraph, any person who is an active member of any volunteer

1 firefighting company, association or group of this Commonwealth,
2 whether incorporated or unincorporated, shall upon the approval
3 of any club composed of volunteer firemen licensed under this
4 act, have the same social rights and privileges as members of
5 such licensed club. For the purposes of this paragraph, the term
6 "active member" shall not include a social member. Any club
7 licensee which is either an incorporated unit of a national
8 veterans' organization or an affiliated organization as defined
9 in section 461.1 shall be permitted to sell liquor or malt or
10 brewed beverages to any active member of another unit which is
11 chartered by the same national veterans' organization, or to any
12 member of a nationally chartered auxiliary associated with the
13 same national veterans' organization.

14 * * *

15 ~~(8) In addition to all other privileges granted under this~~ <—
16 ~~article, all municipal golf course licensees, privately owned~~
17 ~~public golf course licensees and privately owned private golf~~
18 ~~course licensees may sell or furnish liquor and malt or brewed~~
19 ~~beverages by the glass, open bottle or other container on any~~
20 ~~part of the golf course property which is owned by and under~~
21 ~~control of the licensee for consumption on the golf course~~
22 ~~property.~~

23 * * *

24 Section 2. Section 408.4(a) AND (E.1) of the act, amended <—
25 DECEMBER 20, 1996 (P.L.1523, NO.199), February 18, 1998 <—
26 (P.L.162, No.25), June 18, 1998 (P.L.664, No.86) and December
27 21, 1998 (P.L.1202, No.155), is amended and the section is
28 amended by adding a subsection to read:

29 Section 408.4. Special Occasion Permits.--(a) Upon
30 application of any hospital, church, synagogue, volunteer fire

1 company, volunteer ambulance company, volunteer rescue squad,
2 UNIT OF A NATIONALLY CHARTERED CLUB, WHICH HAS BEEN ISSUED A <—
3 CLUB LIQUOR LICENSE, nonprofit agricultural association in
4 existence for at least ten years, bona fide sportsmen's club in
5 existence for at least ten years, nationally chartered veterans'
6 organization and any affiliated lodge or subdivision of such
7 organization, fraternal benefit society that is licensed to do
8 business in this Commonwealth and any affiliated lodge or
9 subdivision of such fraternal benefit society, or one auxiliary
10 of any of the foregoing, and upon payment of the prescribed fee
11 for special occasion permits under section 614-A of the act of
12 April 9, 1929 (P.L.177, No.175), known as "The Administrative
13 Code of 1929," the board shall issue a special occasion permit
14 good for a period of not more than six consecutive or
15 nonconsecutive days during a calendar year. Special occasion
16 permits may also be issued to a museum operated by a nonprofit
17 corporation in a city of the third class or township of the
18 first class or a nonprofit corporation engaged in the performing
19 arts in a city of the third class or in an incorporated town or
20 to [an arts facility or museum operated by an arts council or a
21 nonprofit corporation in a city of the third class in a county
22 of the fourth class] an arts council, or to a nonprofit
23 corporation that operates an arts facility or museum in a city
24 of the third class in a county of the fourth class for a period
25 of not more than six nonconsecutive or ten consecutive days at
26 the prescribed fee for special occasion permits under section
27 614-A of "The Administrative Code of 1929." In addition, special <—
28 occasion permits may also be issued to any nationally chartered
29 organization which has been issued a club liquor license. These
30 permits shall be issued for a period not to exceed three

1 ~~consecutive or nonconsecutive days in any calendar year.~~

2 (a.1) Upon application by a NATIONALLY ACCREDITED <—
3 Pennsylvania nonprofit zoological institution accredited by the <—
4 American Zoological and Aquarium Association and licensed by the
5 United States Department of Agriculture, the board shall issue a
6 special occasion permit or permits in accordance with subsection <—
7 (a) for six nonconsecutive days or ten consecutive days in a
8 calendar year.

9 * * *

10 (E.1) NOTWITHSTANDING ANY PROVISIONS OF LAW TO THE CONTRARY, <—
11 A PERMITTEE WHO IS A NONPROFIT ORGANIZATION AS DEFINED UNDER
12 SECTION 501(C)(4) OF THE INTERNAL REVENUE CODE OF 1986 (PUBLIC
13 LAW 99-514, 26 U.S.C. § 501(C)(4)) MAY DO ANY OF THE FOLLOWING:

14 (1) IF THE PERMITTEE IS CONDUCTING A REGATTA, SELL FOR
15 CONSUMPTION LIQUOR AND MALT OR BREWED BEVERAGES IN OR ON THE
16 GROUNDS OF A STATE PARK LOCATED WITHIN A CITY OF THE SECOND
17 CLASS FOR A PERIOD NOT TO EXCEED TEN CONSECUTIVE DAYS PER
18 CALENDAR YEAR.

19 (2) IF THE PERMITTEE IS CONDUCTING A FAMILY-ORIENTED
20 CELEBRATION AS PART OF WELCOME AMERICA IN A CITY OF THE FIRST
21 CLASS ON PROPERTY LEASED FROM THAT CITY FOR A PERIOD OF MORE
22 THAN FIFTY YEARS, SELL FOR CONSUMPTION LIQUOR AND MALT OR BREWED
23 BEVERAGES ON SUCH LEASED PROPERTY FOR A PERIOD NOT TO EXCEED TEN
24 CONSECUTIVE DAYS PER CALENDAR YEAR.

25 (3) IF THE PERMITTEE IS A NONPROFIT CORPORATION DESIGNATED
26 BY A CITY OF THE FIRST CLASS TO CONDUCT A MILLENNIUM CELEBRATION
27 ON BEHALF OF THE CITY ON PROPERTY LOCATED AT PENN'S LANDING, <—
28 RITTENHOUSE SQUARE, THE PHILADELPHIA CONVENTION CENTER AND CITY
29 HALL COURTYARD FOUR SITES APPROVED BY THE BOARD, SELL FOR <—
30 CONSUMPTION CHAMPAGNE FOR A PERIOD NOT TO EXCEED TWO CONSECUTIVE

1 DAYS BETWEEN DECEMBER 31, 1999, AND JANUARY 1, 2000.

2 * * *

3 Section 3. Section 408.6(a.2) of the act, added December 21,
4 1998 (P.L.1202, No.155), is amended to read:

5 Section 408.6. Performing Arts Facilities in Certain
6 Municipalities.--* * *

7 (a.2) The board is authorized to issue licenses to operators
8 of theaters for the performing arts in townships of the first
9 class located in a county of the second class A and cities of
10 the second class in counties of the second class which are
11 permanently located at a single site and which have seating
12 accommodations for at least two hundred fifty persons, except
13 where prohibited by local option for the retail sale of liquor
14 and malt or brewed beverages by the glass, open bottle or other
15 container or in any mixture for consumption in any such theater
16 for the performing arts. Notwithstanding any other provision of
17 this section, licenses issued under this subsection may not be
18 issued to concessionaires.

19 * * *

20 Section 4. Section 408.12(a) of the act, amended June 18,
21 1998 (P.L.664, No.86), is amended to read:

22 Section 408.12. Wine Auction Permits.--(a) Upon application
23 of any NONPROFIT HOSPITAL, ANY nonprofit public television <—
24 station which is a member of the Pennsylvania Public Television
25 Network, any orchestra located in a county of the first [or], <—
26 second OR THIRD class which is operated by a nonprofit <—
27 corporation, any museum located in a county of the first [or], <—
28 second OR THIRD class which is operated by a nonprofit <—
29 corporation ~~for~~ any nonprofit corporation located in any <—
30 county of the third class which trains and places dogs for

1 people who are physically handicapped ~~or any nonprofit hospital~~ <—
2 and upon payment of a fee of thirty dollars (\$30) per day, the
3 board shall issue a wine auction permit good for a period of not
4 more than four consecutive or nonconsecutive days per calendar
5 year.

6 * * *

7 Section 5. The act is amended by adding ~~a section~~ SECTIONS <—
8 to read:

9 Section 408.15. Multipurpose County-owned Arena and
10 Convention Center License.--(a) The board is authorized to
11 issue a restaurant liquor license in any township of the first
12 class located in a county of the third class for the retail sale
13 of liquor and malt or brewed beverages to any multipurpose arena
14 and convention center owned by the county or a county authority
15 created under the act of May 2, 1945 (P.L.382, No.164), known as
16 the "Municipality Authorities Act of 1945," with an available
17 seating capacity within the premises of 8,000 or more.

18 (b) The application for multipurpose arena and convention
19 center license under this section may be filed by the county,
20 the county authority or by a concessionaire selected by <—
21 DESIGNATED BY THE GOVERNING BODY OF the county or by the county <—
22 authority and shall conform with all requirements for restaurant
23 liquor license applications, except as may otherwise be provided
24 in this section. Applications shall be in writing on forms
25 prescribed by the board and shall be signed and submitted to the
26 board by the applicant. The application filing fee shall be
27 prescribed in section 614-A(25) of the act of April 9, 1929
28 (P.L.177, No.175), known as "The Administrative Code of 1929."

29 (c) Upon receipt of the application in proper form and the
30 application fee and upon being satisfied that the applicant is

1 of good repute and financially responsible and the proposed
2 place of business is proper, the board shall issue a license
3 under this section to the applicant.

4 (d) The multipurpose arena and convention center license
5 shall be issued for the same period of time as provided for
6 restaurant licenses and shall be renewed as provided in section
7 ~~402~~ 470. The license, IF HELD BY THE CONCESSIONAIRE, shall <—
8 terminate upon revocation, or upon termination of the contract
9 between the concessionaire and the county or county authority.
10 In addition the license shall not be validated unless the annual
11 fee is timely paid.

12 (e) The renewal filing fee and annual license fee for this
13 multipurpose arena and convention center license shall be
14 prescribed in section 614-A(25) of "The Administrative Code of
15 1929."

16 (f) Whenever a contract between a county or county authority
17 and the concessionaire is terminated OR A LICENSE IS REVOKED, <—
18 the county or county authority may select a new concessionaire.
19 The new concessionaire shall apply to the board for a new
20 license and, if qualified, the board shall issue a new license
21 to the new concessionaire without regard to the prohibition in
22 section 471, against the grant of a license at the same premises
23 for a period of at least one year.

24 (g) Sales may be made one hour before, during, and one hour
25 after any athletic performance, performing arts event, trade
26 show, convention or any other performance at the facility;
27 however, sales may not be made from two o'clock antemeridian to
28 seven o'clock antemeridian. Sales may also be made during a
29 private banquet held at the premises except from two o'clock
30 antemeridian to seven o'clock antemeridian. In addition to all

1 the restrictions set forth in this subsection, sales on Sunday
2 may only occur between eleven o'clock antemeridian and ten
3 o'clock postmeridian. A licensee shall not be required to obtain
4 a Sunday sales permit.

5 (h) Sales of alcoholic beverages during all professional and
6 amateur athletic events on the premises shall be limited to
7 sales of malt or brewed beverages in shatterproof containers.
8 Sales of alcoholic beverages during performing arts events or
9 other entertainment may consist of liquor or malt or brewed
10 beverages in shatterproof containers: PROVIDED, HOWEVER, SALES <—
11 OF LIQUOR MAY ONLY OCCUR AT EVENTS AND IN AREAS THAT THE BOARD
12 IN ITS DISCRETION HAS APPROVED. Sales at all other times or
13 sales made at any time in a suite may consist of liquor or malt
14 or brewed beverages in any type of container. For purposes of
15 this section a suite is any seating LOCATED ON THE DESIGNATED <—
16 SUITE LEVEL AND portioned from the general bleacher-style
17 seating by a wall, divider, partial wall or railing. THE SUITE <—
18 LEVEL MUST NOT BE ACCESSIBLE BY THE GENERAL PUBLIC.

19 (i) Licenses issued under this section shall not be subject
20 to the following:

- 21 (1) the proximity provisions of section 404;
22 (2) the quota restrictions of section 461;
23 (3) the provisions of section 463;
24 (4) the ~~special permit~~ provisions of section 493(10) EXCEPT <—
25 AS IT RELATED TO LEWD, IMMORAL OR IMPROPER ENTERTAINMENT; and
26 (5) prohibitions against minors frequenting as described in
27 section 493(14).

28 (j) Licenses issued under this section shall not be subject
29 to the provisions defining "restaurant" in section 102.

30 Section 6. ~~Section 461(a) of the act, amended June 18, 1998~~ <—

~~(P.L.664, No.86), is amended and the section is amended by~~
~~adding a subsection to read:~~

SECTION 408.16. NATIONAL EVENT PERMIT.--(A) UPON THE
APPLICATION OF THE CHIEF EXECUTIVE OF A NATIONAL POLITICAL
PARTY, OR ITS DESIGNEE, CONDUCTING ITS NATIONAL CONVENTION IN
THIS COMMONWEALTH, OR THE OFFICIAL HOST COMMITTEE OF THE
NATIONAL CONVENTION, THE BOARD MAY ISSUE A NATIONAL EVENT PERMIT
FOR EVENTS DIRECTLY RELATED TO THE CONVENTION.

(B) IN ANY CITY, BOROUGH, INCORPORATED TOWN OR TOWNSHIP IN
WHICH THE SALE OF LIQUOR OR MALT OR BREWED BEVERAGES HAS BEEN
APPROVED BY THE ELECTORATE, A NATIONAL EVENT PERMIT SHALL
AUTHORIZE THE PERMITTEE TO SELL SALE OF LIQUOR AND/OR MALT OR
BREWED BEVERAGES ON ANY DAY FOR WHICH THE PERMIT IS ISSUED TO A
LICENSED OR UNLICENSED PREMISES.

(C) A PERMIT UNDER THIS SECTION SHALL BE SUBJECT TO THE
PROVISIONS OF THIS ACT; EXCEPT THAT:

(1) THE BOARD MAY DETERMINE THE DURATION OF THE EVENT HELD
PURSUANT TO THE PERMIT, INCLUDING THE HOURS, DATES AND
LOCATIONS. THE BOARD SHALL INCLUDE THE SPECIFIC HOUR, DATE AND
LOCATION IN A MEMORANDUM, WHICH SHALL BE AVAILABLE FOR PUBLIC
INSPECTION.

(2) AN EVENT HELD PURSUANT TO A PERMIT ISSUED UNDER THIS
SECTION SHALL NOT BE SUBJECT TO SECTION 493(10) EXCEPT AS IT
RELATES TO LEWD, IMMORAL OR IMPROPER ENTERTAINMENT.

(D) THE BOARD SHALL CONSIDER THE OTHER PROVISIONS OF THIS
ACT AND RELATED REGULATIONS, IN PARTICULAR THE HEALTH, SAFETY,
CONVENIENCE AND WELFARE OF THE COMMUNITY, WHEN GRANTING
PERMISSION TO CONDUCT AN EVENT UNDER THIS SECTION.

(E) THIS SECTION SHALL EXPIRE AUGUST 31, 2000.

SECTION 6. SECTION 446(2) OF THE ACT, AMENDED FEBRUARY 18,

1 1998 (P.L.162, NO.25), IS AMENDED TO READ:

2 SECTION 446. BREWERIES.--HOLDERS OF A BREWERY LICENSE MAY:

3 * * *

4 (2) OPERATE A RESTAURANT OR BREWERY PUB ON THE LICENSED
5 PREMISES UNDER SUCH CONDITIONS AND REGULATIONS AS THE BOARD MAY
6 ENFORCE: PROVIDED, HOWEVER, THAT SALES ON SUNDAY MAY BE MADE
7 IRRESPECTIVE OF THE VOLUME OF FOOD SALES IF THE LICENSED
8 PREMISES ARE AT A STADIUM OR ARENA LOCATION. THE HOLDER OF A
9 BREWERY LICENSE MAY SELL AT ITS BREWERY PUB PREMISES
10 PENNSYLVANIA WINES IT HAS PURCHASED FROM EITHER THE HOLDER OF A
11 PENNSYLVANIA LIMITED WINERY LICENSE OR FROM THE BOARD: PROVIDED,
12 HOWEVER, THAT SAID WINES MUST BE CONSUMED AT THE LICENSED
13 BREWERY PUB PREMISES.

14 * * *

15 SECTION 7. SECTION 461(A) OF THE ACT, AMENDED JUNE 18, 1998
16 (P.L.664, NO.86), IS AMENDED TO READ:

17 Section 461. Limiting Number of Retail Licenses To Be Issued
18 In Each Municipality.--(a) No licenses shall hereafter be
19 granted by the board for the retail sale of malt or brewed
20 beverages or the retail sale of liquor and malt or brewed
21 beverages in excess of one of such licenses of any class for
22 each three thousand inhabitants in any municipality, exclusive
23 of licenses granted to airport restaurants, municipal golf
24 courses, hotels, privately-owned public golf courses and units
25 of nonprofit nationally chartered clubs, as defined in this
26 section, whose applications are filed on or before [December 31, <—
27 {1998} JUNE 30, 2000, and except those units falling under <—
28 section 461.1, and clubs; but at least one such license may be
29 granted in each municipality and in each part of a municipality
30 where such municipality is split so that each part thereof is

1 separated by another municipality, except in municipalities
2 where the electors have voted against the granting of any retail
3 licenses and except in that part of a split municipality where
4 the electors have voted against the granting of any retail
5 licenses. Nothing contained in this section shall be construed
6 as denying the right to the board to renew or to transfer
7 existing retail licenses of any class notwithstanding that the
8 number of such licensed places in a municipality shall exceed
9 the limitation hereinbefore prescribed; but where such number
10 exceeds the limitation prescribed by this section, no new
11 license, except for hotels, municipal golf courses, airport
12 restaurants, privately-owned public golf courses, privately-
13 owned private golf course licensees and units of nonprofit
14 nationally chartered clubs, as defined in this section, whose
15 applications are filed on or before [December 31, 1998] JUNE 30, <—
16 2000, and except those units falling under section 461.1, shall
17 be granted so long as said limitation is exceeded.

18 * * *

19 ~~(b.1) In cases where the number of retail licenses issued in~~ <—
20 ~~a municipality either meets or exceeds the limitations set forth~~
21 ~~in this section, and where no club licenses have been issued in~~
22 ~~the municipality, the board is authorized to issue one club~~
23 ~~license to any qualified applicant under section 403.~~

24 * * *

25 ~~Section 7. Section 468(a)(1) of the act, amended December~~
26 ~~21, 1998 (P.L.1202, No.155), is amended to read:~~

27 SECTION 8. SECTION 468(A)(1) AND (C) OF THE ACT, AMENDED OR <—
28 ADDED JUNE 18, 1998 (P.L.664, NO.86) AND DECEMBER 21, 1998
29 (P.L.1202, NO.155), IS AMENDED TO READ:

30 Section 468. Licenses Not Assignable; Transfers.--(a) (1)

1 Licenses issued under this article may not be assigned. The
2 board, upon payment of the transfer filing fee, is hereby
3 authorized to transfer any license issued by it under the
4 provisions of this article from one person to another or from
5 one place to another, or both, within the same municipality, and
6 if the applicant is a unit of a nonprofit nationally chartered
7 club or a volunteer fire company or an affiliated organization
8 of a volunteer fire company, the board is hereby authorized to
9 transfer such license to a place in any other municipality
10 within the same county if the sale of liquor or malt and brewed
11 beverages are legal in such other municipality as the board may
12 determine. Prior to the approval of an application for transfer
13 by a unit of a nonprofit nationally chartered club the board
14 shall make an affirmative finding, upon proof submitted by the
15 applicant, and after investigation by the board, that at the
16 time the application for transfer is made the club continues to
17 hold a valid national charter and continues to function in fact
18 as a club as defined in section 102. The board, in its
19 discretion, may transfer an existing restaurant retail dispenser
20 or club license from one municipality to another in the same
21 county regardless of the quota limitations provided for in this
22 act, if sales of liquor or malt and brewed beverages are legal
23 in such other municipality and if the restaurant retail
24 dispenser or club lost the use of the building in which it was
25 located due to governmental exercise of the right of eminent
26 domain and no other suitable building can be found in the first
27 municipality.

28 * * *

29 (C) (1) THE TERM "NONPROFIT NATIONALLY CHARTERED CLUB" SHALL <—
30 MEAN ANY CLUB WHICH DOES NOT CONTEMPLATE PECUNIARY GAIN OR

1 PROFIT, INCIDENTAL OR OTHERWISE, HAVING A NATIONAL CHARTER.

2 (2) THE TERM "UNIT OF A NONPROFIT NATIONALLY CHARTERED CLUB"
3 SHALL MEAN ANY POST, BRANCH, LODGE OR OTHER SUBORDINATE UNIT OF
4 A NONPROFIT NATIONALLY CHARTERED CLUB.

5 (3) THE TERM "INDOOR BOWLING CENTER" SHALL MEAN AN ENCLOSED
6 FACILITY OF AT LEAST TWELVE THOUSAND SQUARE FEET WITH A MINIMUM
7 OF [EIGHTEEN] SIXTEEN BOWLING LANES AND WHICH HAS AS ITS PRIMARY
8 FOCUS THE OFFERING OF BOWLING AS A RECREATIONAL ACTIVITY TO THE
9 GENERAL PUBLIC.

10 * * *

11 Section & 9. Section 472(a) of the act, amended February 18, <—
12 1998 (P.L.162, No.25), is amended to read:

13 Section 472. Local Option.--(a) In any municipality or any
14 part of a municipality where such municipality is split so that
15 each part thereof is separated by another municipality, an
16 election may be held, subject to subsection (c), on the date of
17 the primary election immediately preceding any municipal
18 election, but not oftener than once in four years, to determine
19 the will of the electors with respect to the granting of liquor
20 licenses to hotels, restaurants and clubs, not oftener than once
21 in four years, to determine the will of the electors with
22 respect to the granting of liquor licenses to privately-owned
23 private golf courses or to privately-owned public golf courses,
24 not oftener than once in four years, to determine the will of
25 the electors with respect to the granting of licenses to retail
26 dispensers of malt and brewed beverages, not oftener than once
27 in four years, to determine the will of the electors with
28 respect to granting of licenses to wholesale distributors and
29 importing distributors, not more than once in two years, to
30 determine the will of the electors with respect to the granting

1 of club liquor licenses or club retail dispenser licenses to
2 incorporated units of national veterans' organizations, not
3 oftener than once in two years to determine the will of the
4 electors with respect to the granting of special occasion
5 permits to qualified organizations, or not more than once in
6 four years, to determine the will of the electors with respect
7 to the establishment, operation and maintenance by the board of
8 Pennsylvania liquor stores, within the limits of such
9 municipality or part of a split municipality, under the
10 provisions of this act: Provided, however, Where an election
11 shall have been held at the primary preceding a municipal
12 election in any year, another election may be held under the
13 provisions of this act at the primary occurring the fourth year
14 after such prior election: And provided further, That an
15 election on the question of establishing and operating a State
16 liquor store shall be initiated only in those municipalities, or
17 that part of a split municipality that shall have voted against
18 the granting of liquor licenses; and that an election on the
19 question of granting wholesale distributor and importing
20 distributor licenses shall be initiated only in those
21 municipalities or parts of split municipalities that shall have
22 at a previous election voted against the granting of dispenser's
23 licenses. Whenever electors equal to at least twenty-five per
24 centum of the highest vote cast for any office in the
25 municipality or part of a split municipality at the last
26 preceding general election shall file a petition with the county
27 board of elections of the county for a referendum on the
28 question of granting any of said classes of licenses or the
29 establishment of Pennsylvania liquor stores, the said county
30 board of elections shall cause a question to be placed on the

1 ballots or on the voting machine board and submitted at the
2 primary immediately preceding the municipal election. Separate
3 petitions must be filed for each question to be voted on. Said
4 proceedings shall be in the manner and subject to the provisions
5 of the election laws which relate to the signing, filing and
6 adjudication of nomination petitions, insofar as such provisions
7 are applicable.

8 When the question is in respect to the granting of liquor
9 licenses, it shall be in the following form:

10 Do you favor the granting of liquor licenses
11 for the sale of liquor in..... Yes
12 of.....? No

13 When the question is in respect to the granting of liquor
14 licenses, for privately-owned private golf courses, it shall be
15 in the following form:

16 Do you favor the granting of liquor licenses for
17 privately-owned private golf courses for the sale
18 of liquor in.....by..... Yes
19 of.....? No

20 When the question is in respect to the granting of liquor
21 licenses, for privately-owned public golf courses, it shall be
22 in the following form:

23 Do you favor the granting of liquor licenses for
24 privately-owned public golf courses for the sale
25 of liquor in.....by..... Yes
26 of.....? No

27 When the question is in respect to the granting of licenses
28 to retail dispensers of malt and brewed beverages, it shall be
29 in the following form:

30 Do you favor the granting of malt and brewed

1 beverage retail dispenser licenses for
2 consumption on premises where sold in the..... Yes
3 of.....? No

4 When the question is in respect to the granting of licenses
5 to wholesale distributors of malt or brewed beverages and
6 importing distributors, it shall be in the following form:

7 Do you favor the granting of malt and brewed
8 beverage wholesale distributor's and importing
9 distributor's licenses not for consumption on
10 premises where sold in the..... Yes
11 of.....? No

12 When the question is in respect to the granting of club
13 liquor licenses to incorporated units of national veterans'
14 organizations, it shall be in the following form:

15 Do you favor the granting of club liquor licenses
16 to incorporated units of national veterans' organizations
17 in the..... Yes
18 of.....? No

19 When the question is in respect to the granting of club
20 retail dispenser licenses to incorporated units of national
21 veterans' organizations, it shall be in the following form:

22 Do you favor the granting of club retail dispenser
23 licenses to incorporated units of national veterans'
24 organizations in the..... Yes
25 of.....? No

26 [When the question is in respect to the granting of special
27 occasion permits to qualified organizations, it shall be in the
28 following form:

29 Do you favor the granting of special occasion permits
30 to qualified organizations in the..... Yes

1 of.....? No]

2 When the question is in respect to the granting of special
3 occasion permits allowing the sale of liquor by qualified
4 organizations in municipalities that do not already allow the
5 retail sale of liquor, it shall be in the following form:

6 Do you favor the granting of special occasion permits to
7 allow the sale of liquor by qualified organizations in
8 the..... Yes
9 of.....? No

10 When the question is in respect to the granting of special
11 occasion permits allowing the sale of malt or brewed beverages
12 only by qualified organizations in municipalities that do not
13 already allow the retail sale of malt or brewed beverages, it
14 shall be in the following form:

15 Do you favor the granting of special occasion permits to
16 allow the sale of malt or brewed beverages only by qualified
17 organizations in the..... Yes
18 of.....? No

19 When the question is in respect to the establishment,
20 operation and maintenance of Pennsylvania liquor stores it shall
21 be in the following form:

22 Do you favor the establishment, operation
23 and maintenance of Pennsylvania liquor
24 stores in the..... Yes
25 of.....? No

26 In case of a tie vote, the status quo shall obtain. If a
27 majority of the voting electors on any such question vote "yes,"
28 then liquor licenses shall be granted by the board to hotels,
29 restaurants and clubs, or liquor licenses shall be granted by
30 the board to privately-owned private golf courses or to

1 privately-owned public golf courses, or malt and brewed beverage
2 retail dispenser licenses or wholesale distributor's and
3 importing distributor's license for the sale of malt or brewed
4 beverages shall be granted by the board, or club liquor licenses
5 or club retail dispenser licenses shall be granted by the board
6 to incorporated units of national veterans' organizations, or
7 special occasion permits may be issued to qualified
8 organizations, or the board may establish, operate and maintain
9 Pennsylvania liquor stores, as the case may be, in such
10 municipality or part of a split municipality, as provided by
11 this act; but if a majority of the electors voting on any such
12 question vote "no," then the board shall have no power to grant
13 or to renew upon their expiration any licenses of the class so
14 voted upon in such municipality or part of a split municipality;
15 or if the negative vote is on the question in respect to the
16 establishment, operation and maintenance of Pennsylvania liquor
17 stores, the board shall not open and operate a Pennsylvania
18 liquor store in such municipality or part of a split
19 municipality, nor continue to operate a then existing
20 Pennsylvania liquor store in the municipality or part of a split
21 municipality for more than two years thereafter or after the
22 expiration of the term of the lease on the premises occupied by
23 such store, whichever period is less, unless and until at a
24 later election a majority of the voting electors vote "yes" on
25 such question.

26 * * *

27 Section 9 10. Sections 472.2, 492(5) and 493(13) of the act <—
28 are amended to read:

29 Section 472.2. Granting of Liquor Licenses in Certain
30 Municipalities.--(a) In any municipality which has[, prior to

1 January 1, 1967,] by referendum approved the granting of malt
2 and brewed beverage retail dispensers' licenses and has also
3 thereafter, in a separate and subsequent referendum approved the
4 granting of liquor licenses [prior to the effective date of this
5 amendment], the board may issue to an applicant holding a malt
6 and brewed beverage retail dispenser's license, a liquor
7 license: Provided, That the applicant surrenders for
8 cancellation the malt and brewed beverage retail dispenser's
9 license. The board shall not issue such a liquor license in
10 excess of one for each [one thousand five hundred] three
11 thousand residents in said municipality [and any application for
12 said license shall be filed within two years from the effective
13 date of this amendment].

14 (b) Nothing in this section shall otherwise affect any
15 existing malt and brewed beverage retail dispenser's license.

16 (c) The board may not accept, act upon, or grant an
17 application for a liquor license under this section, when such
18 application, if granted, would cause an excess in the aforesaid
19 quota of one liquor license for each [one thousand five hundred]
20 three thousand residents in said municipality. Nor shall an
21 applicant under this section be required to surrender his malt
22 and brewed beverage retail dispenser's license until and unless
23 the board has granted his application for a liquor license.

24 Section 492. Unlawful Acts Relative to Malt or Brewed
25 Beverages and Licensees.--

26 It shall be unlawful--

27 * * *

28 (5) Sales of Malt or Brewed Beverages by Hotels, Eating
29 Places or Public Service Licensees During Prohibited Hours.--For
30 any hotel or eating place holding a retail dispenser's license,

1 or the servants, agents or employes of such licensees, to sell,
2 trade or barter in malt or brewed beverages between the hours of
3 two o'clock antemeridian Sunday and seven o'clock in the
4 forenoon of the following Monday, or between the hours of two
5 o'clock antemeridian and seven o'clock antemeridian of any week
6 day: Provided, That notwithstanding any provision to the
7 contrary, whenever the thirty-first day of December falls on a
8 Sunday such sales of malt or brewed beverages may be made on
9 such day after one o'clock postmeridian and until two o'clock
10 antemeridian of the following day. For any public service
11 licensee authorized to sell malt or brewed beverages or the
12 servants, agents or employes of such licensees to sell, trade or
13 barter in malt or brewed beverages between the hours of two
14 o'clock antemeridian and seven o'clock antemeridian on any day.

15 [Any licensee holding a retail dispenser license or a malt or
16 brewed beverage public service license may, by giving notice to
17 the board, advance by one hour the hours herein prescribed as
18 those during which malt or brewed beverages may be sold during
19 such part of the year when daylight saving time is being
20 observed generally in the municipality in which the place of
21 business is located. Any licensee who elects to operate his
22 place of business in accordance with daylight saving time shall
23 post a conspicuous notice in his place of business that he is
24 operating in accordance with daylight saving time.]

25 * * *

26 Section 493. Unlawful Acts Relative to Liquor, Malt and
27 Brewed Beverages and Licensees.--The term "licensee," when used
28 in this section, shall mean those persons licensed under the
29 provisions of Article IV, unless the context clearly indicates
30 otherwise.

1 It shall be unlawful--

2 * * *

3 (13) Retail Licensees Employing Minors. For any hotel,
4 restaurant or club liquor licensee, or any retail dispenser, to
5 employ or to permit any minor under the age of eighteen to serve
6 any alcoholic beverages or to employ or permit any minor under
7 the age of sixteen to render any service whatever in [or about]
8 the licensed premises, nor shall any entertainer under the age
9 of eighteen be employed or permitted to perform in any licensed
10 premises in violation of the labor laws of this Commonwealth:

11 Provided, That in accordance with board regulations minors
12 between the ages of sixteen and eighteen may be employed to
13 serve food, clear tables and perform other similar duties, not
14 to include the dispensing or serving of alcoholic beverages.

15 ~~Notwithstanding any provision of law THIS ACT to the contrary,~~ <—
16 ~~minors fourteen and fifteen years of age may be employed at ski~~ <—
17 ~~resorts, golf courses and amusement parks so long as they are~~
18 ~~not serving or handling alcohol or otherwise working in any room~~
19 ~~in which alcohol is concurrently being served. IT SHALL BE~~ <—
20 LAWFUL FOR ANY SKI RESORT, GOLF COURSE OR AMUSEMENT PARK
21 LICENSEE TO EMPLOY MINORS FOURTEEN AND FIFTEEN YEARS OF AGE TO
22 PERFORM DUTIES ONLY IN ROOMS OR AREAS OF THE LICENSED PREMISES
23 WHERE ALCOHOLIC BEVERAGES ARE NOT DISPENSED, SERVED OR STORED
24 DURING THE TIME IN WHICH THE MINOR IS PERFORMING SUCH DUTIES.

25 * * *

26 Section ~~40~~ 11. Section 494(c) of the act, amended April 29, <—
27 1994 (P.L.212, No.30), is amended to read:

28 Section 494. Penalties.--* * *

29 (c) A person convicted of selling or offering to sell any
30 liquor or malt or brewed beverage without being licensed is in

1 violation of this article and shall, in addition to any other
2 penalty prescribed by law, be sentenced to pay a fine of
3 [twenty-five dollars (\$25) for each bottle of beer] two dollars
4 (\$2) per fluid ounce for each container of beer MALT OR BREWED <—
5 BEVERAGES and [one hundred dollars (\$100)] four dollars (\$4) per
6 fluid ounce for each [bottle] container of wine or liquor found
7 on the premises where the sale was made or attempted. The amount
8 of fine per container will be based upon the capacity of the
9 container when full, whether or not it is full at the time of
10 the sale or attempted sale. In addition, all [beer] MALT OR <—
11 BREWED BEVERAGES, wine and liquor found on the premises shall be
12 confiscated. If a person fails to pay the full amount of the
13 fine levied under this subsection, the premises on which the
14 [beer] MALT OR BREWED BEVERAGES, wine or liquor was found shall <—
15 be subject to a lien in the amount of the unpaid fine if the
16 premises are owned by the person against whom the fine was
17 levied or by any other person who had knowledge of the
18 proscribed activity. The lien shall be superior to any other
19 liens on the premises other than a duly recorded mortgage.

20 ~~SECTION 12. SECTION 505.2(3) OF THE ACT, AMENDED JUNE 18,~~ <—
21 ~~1998 (P.L.664, NO.86), IS AMENDED TO READ:~~

22 ~~SECTION 505.2. LIMITED WINERIES. IN THE INTEREST OF~~
23 ~~PROMOTING TOURISM AND RECREATIONAL DEVELOPMENT IN PENNSYLVANIA,~~
24 ~~HOLDERS OF A LIMITED WINERY LICENSE MAY:~~

25 ~~* * *~~

26 ~~(3) SEPARATELY OR IN CONJUNCTION WITH OTHER LIMITED~~
27 ~~WINERIES, SELL ALCOHOLIC CIDER, WINE AND WINE COOLERS PRODUCED~~
28 ~~BY THE LIMITED WINERY ON NO MORE THAN FIVE (5) BOARD APPROVED~~
29 ~~LOCATIONS OTHER THAN THE LICENSED PREMISES, WITH NO BOTTLING OR~~
30 ~~PRODUCTION REQUIREMENT AT THOSE ADDITIONAL BOARD APPROVED~~

1 ~~LOCATIONS AND UNDER SUCH CONDITIONS AND REGULATIONS AS THE BOARD~~
2 ~~MAY ENFORCE, TO THE BOARD, TO INDIVIDUALS AND TO BREWERY, HOTEL,~~
3 ~~RESTAURANT, CLUB AND PUBLIC SERVICE LIQUOR LICENSEES.~~

4 * * *

5 SECTION 12. SECTION 505.2 OF THE ACT, AMENDED JUNE 18, 1998 <—
6 (P.L.664, NO.86) AND DECEMBER 21, 1998 (P.L.1202, NO.155), IS
7 AMENDED TO READ:

8 SECTION 505.2. LIMITED WINERIES.--IN THE INTEREST OF
9 PROMOTING TOURISM AND RECREATIONAL DEVELOPMENT IN PENNSYLVANIA,
10 HOLDERS OF A LIMITED WINERY LICENSE MAY:

11 (1) PRODUCE ALCOHOLIC CIDERS, WINES AND WINE COOLERS,
12 SUBJECT TO THE EXCEPTIONS PROVIDED UNDER THIS SECTION, ONLY FROM
13 FRUITS GROWN IN PENNSYLVANIA [IN AN AMOUNT NOT TO EXCEED TWO
14 HUNDRED THOUSAND (200,000) GALLONS PER YEAR].

15 (2) SELL ALCOHOLIC CIDER, WINE AND WINE COOLERS PRODUCED BY
16 THE LIMITED WINERY OR PURCHASED IN BULK IN BOND FROM ANOTHER
17 PENNSYLVANIA LIMITED WINERY ON THE LICENSED PREMISES, UNDER SUCH
18 CONDITIONS AND REGULATIONS AS THE BOARD MAY ENFORCE, TO THE
19 BOARD, TO INDIVIDUALS AND TO BREWERY HOTEL, RESTAURANT, CLUB AND
20 PUBLIC SERVICE LIQUOR LICENSEES, AND TO PENNSYLVANIA WINERY
21 LICENSEES: PROVIDED, THAT A LIMITED WINERY SHALL NOT, IN ANY
22 CALENDAR YEAR, PURCHASE ALCOHOLIC CIDER OR WINE PRODUCED BY
23 OTHER LIMITED WINERIES IN AN AMOUNT IN EXCESS OF FIFTY PER
24 CENTUM OF THE ALCOHOLIC CIDER OR WINE PRODUCED BY THE PURCHASING
25 LIMITED WINERY IN THE PRECEDING CALENDAR YEAR.

26 (3) SEPARATELY OR IN CONJUNCTION WITH OTHER LIMITED
27 WINERIES, SELL ALCOHOLIC CIDER, WINE AND WINE COOLERS PRODUCED
28 BY THE LIMITED WINERY ON NO MORE THAN FIVE (5) BOARD-APPROVED
29 LOCATIONS OTHER THAN THE LICENSED PREMISES, WITH NO BOTTLING OR
30 PRODUCTION REQUIREMENT AT THOSE ADDITIONAL BOARD-APPROVED

1 LOCATIONS AND UNDER SUCH CONDITIONS AND REGULATIONS AS THE BOARD
2 MAY ENFORCE, TO THE BOARD, TO INDIVIDUALS AND TO BREWERY, HOTEL,
3 RESTAURANT, CLUB AND PUBLIC SERVICE LIQUOR LICENSEES.

4 (4) AT THE DISCRETION OF THE BOARD, OBTAIN A SPECIAL PERMIT
5 TO PARTICIPATE IN ALCOHOLIC CIDER, WINE AND FOOD EXPOSITIONS OFF
6 THE LICENSED PREMISES. A SPECIAL PERMIT SHALL BE ISSUED UPON
7 PROPER APPLICATION AND PAYMENT OF A FEE OF THIRTY DOLLARS (\$30)
8 PER DAY FOR EACH DAY OF PERMITTED USE, NOT TO EXCEED FIVE (5)
9 CONSECUTIVE DAYS. [A LIMITED WINERY MAY NOT OBTAIN MORE THAN
10 FIVE SPECIAL PERMITS IN ANY CALENDAR YEAR.] THE TOTAL NUMBER OF
11 DAYS FOR ALL THE SPECIAL PERMITS MAY NOT EXCEED TWENTY (20) DAYS
12 IN ANY CALENDAR YEAR. A SPECIAL PERMIT SHALL ENTITLE THE HOLDER
13 TO ENGAGE IN THE SALE OF ALCOHOLIC CIDER OR WINE PRODUCED BY THE
14 BOTTLE OR IN CASE LOTS BY THE PERMITTEE UNDER THE AUTHORITY OF A
15 LIMITED WINERY LICENSE. HOLDERS OF SPECIAL PERMITS MAY PROVIDE
16 TASTING SAMPLES OF WINES IN INDIVIDUAL PORTIONS NOT TO EXCEED
17 ONE FLUID OUNCE. SAMPLES AT ALCOHOLIC CIDER, WINE AND FOOD
18 EXPOSITIONS MAY BE SOLD OR OFFERED FREE OF CHARGE. EXCEPT AS
19 PROVIDED HEREIN, LIMITED WINERIES UTILIZING SPECIAL PERMITS
20 SHALL BE GOVERNED BY ALL APPLICABLE PROVISIONS OF THIS ACT AS
21 WELL AS BY ALL APPLICABLE REGULATIONS OR CONDITIONS ADOPTED BY
22 THE BOARD.

23 FOR THE PURPOSES OF THIS CLAUSE, "ALCOHOLIC CIDER, WINE AND
24 FOOD EXPOSITIONS" ARE DEFINED AS AFFAIRS HELD INDOORS OR
25 OUTDOORS WITH THE PRIMARY INTENT OF EDUCATING THOSE IN
26 ATTENDANCE OF THE AVAILABILITY, NATURE AND QUALITY OF
27 PENNSYLVANIA-PRODUCED ALCOHOLIC CIDERS AND WINES IN CONJUNCTION
28 WITH SUITABLE FOOD DISPLAYS, DEMONSTRATIONS AND SALES. ALCOHOLIC
29 CIDER, WINE AND FOOD EXPOSITIONS MAY ALSO INCLUDE ACTIVITIES
30 OTHER THAN ALCOHOLIC CIDER, WINE AND FOOD DISPLAYS, INCLUDING

1 ARTS AND CRAFTS, MUSICAL ACTIVITIES, CULTURAL EXHIBITS,
2 AGRICULTURAL EXHIBITS AND SIMILAR ACTIVITIES.

3 (5) APPLY FOR AND HOLD A HOTEL LIQUOR LICENSE, A RESTAURANT
4 LIQUOR LICENSE OR A MALT AND BREWED BEVERAGES RETAIL LICENSE TO
5 SELL FOR CONSUMPTION AT THE RESTAURANT OR LIMITED WINERY ON THE
6 LICENSED WINERY PREMISES, LIQUOR, WINE AND MALT OR BREWED
7 BEVERAGES REGARDLESS OF THE PLACE OF MANUFACTURE UNDER THE SAME
8 CONDITIONS AND REGULATIONS AS ANY OTHER HOTEL LIQUOR LICENSE,
9 RESTAURANT LIQUOR LICENSE OR MALT AND BREWED BEVERAGES RETAIL
10 LICENSE.

11 (6) (I) SECURE A PERMIT FROM THE BOARD TO ALLOW THE HOLDER
12 OF A LIMITED WINERY LICENSE TO USE UP TO TWENTY-FIVE PER CENTUM
13 "PERMITTED FRUIT," NOT WINE, IN THE CURRENT YEAR'S PRODUCTION.
14 EACH PERMIT IS VALID ONLY FOR THE CALENDAR YEAR IN WHICH IT IS
15 ISSUED.

16 (II) THE FEE FOR A PERMIT TO IMPORT AND USE PERMITTED FRUIT
17 SHALL BE IN AN AMOUNT TO BE DETERMINED BY THE BOARD.

18 (III) THE PURPOSE OF THIS SECTION IS TO INCREASE THE
19 PRODUCTIVITY OF LIMITED WINERIES WHILE AT THE SAME TIME
20 PROTECTING THE INTEGRITY AND UNIQUE CHARACTERISTICS OF WINE
21 PRODUCED FROM FRUIT PRIMARILY GROWN IN THIS COMMONWEALTH.
22 PREVAILING CLIMATIC CONDITIONS HAVE A SIGNIFICANT IMPACT ON THE
23 CHARACTER OF THE FRUIT. ACCORDINGLY, "PERMITTED FRUIT" SHALL
24 MEAN FRUIT GROWN OR JUICE DERIVED FROM FRUIT GROWN WITHIN THREE
25 HUNDRED FIFTY (350) MILES OF THE WINERY.

26 (IV) THE DEPARTMENT IS AUTHORIZED TO PROMULGATE REGULATIONS
27 REQUIRING THE FILING OF PERIODIC REPORTS BY LIMITED WINERIES TO
28 ENSURE COMPLIANCE WITH THE PROVISIONS OF THIS SECTION.

29 (V) THIS CLAUSE SHALL EXPIRE ON DECEMBER 31, 2004.

30 (7) THE TOTAL PRODUCTION OF ALCOHOLIC CIDERS, WINE AND WINE

1 COOLERS BY A LIMITED WINERY MAY NOT EXCEED TWO HUNDRED THOUSAND
2 (200,000) GALLONS PER YEAR.

3 SECTION 13. SECTION 611(C) OF THE ACT IS AMENDED TO READ:

4 SECTION 611. NUISANCES; ACTIONS TO ENJOIN.--* * *

5 (C) UPON THE DECREE OF THE COURT ORDERING SUCH NUISANCE TO
6 BE ABATED, THE COURT MAY, UPON PROPER CAUSE SHOWN, ORDER THAT
7 THE ROOM, HOUSE, BUILDING, STRUCTURE, BOAT, VEHICLE OR PLACE
8 SHALL NOT BE OCCUPIED OR USED FOR ONE YEAR THEREAFTER, ~~{BUT} OR~~ <—
9 THE COURT MAY, IN ITS DISCRETION, PERMIT IT TO BE OCCUPIED OR
10 USED IF THE OWNER, LESSEE, TENANT OR OCCUPANT ~~{THEREOF SHALL~~ <—
11 ~~GIVE} IS NOT THE HOLDER OF THE LICENSE WHICH IS THE SUBJECT OF~~ <—
12 ~~THE ABATEMENT AND IF SAID OWNER, LESSEE, TENANT OR OCCUPANT~~
13 ~~POSTS A~~ BOND WITH SUFFICIENT SURETY TO BE APPROVED BY THE COURT
14 MAKING THE ORDER IN THE PENAL AND LIQUIDATED SUM OF NOT LESS
15 THAN [FIVE HUNDRED DOLLARS (\$500.00)] FIVE THOUSAND DOLLARS
16 (\$5,000.00), PAYABLE TO THE COMMONWEALTH OF PENNSYLVANIA, FOR
17 USE OF THE COUNTY IN WHICH SAID PROCEEDINGS ARE INSTITUTED, AND
18 CONDITIONED THAT NEITHER LIQUOR, ALCOHOL, NOR MALT OR BREWED
19 BEVERAGES WILL THEREAFTER BE MANUFACTURED, SOLD, TRANSPORTED,
20 OFFERED FOR SALE, BARTERED OR FURNISHED, OR STORED IN BOND, OR
21 STORED FOR HIRE THEREIN OR THEREON ~~{IN VIOLATION OF THIS ACT,}~~ <—
22 AND THAT ~~{HE} THE OWNER, LESSEE, TENANT OR OCCUPANT THEREOF~~ <—
23 PAY ALL FINES, COSTS AND DAMAGES THAT MAY BE ASSESSED FOR ANY
24 VIOLATION OF THIS ACT UPON SAID PROPERTY.

25 Section ~~11~~ 14. This act shall take effect ~~immediately~~. AS <—
26 FOLLOWS:

27 (1) THE ADDITION OF SECTION 408.16 OF THE ACT SHALL TAKE
28 EFFECT MAY 1, 2000.

29 (2) THE ADDITION OF SECTION 505.2(6) OF THE ACT SHALL
30 TAKE EFFECT JANUARY 1, 2000.

1 (3) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT
2 IMMEDIATELY.