

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 392 Session of  
2007

INTRODUCED BY PETRI, CALTAGIRONE, CAPPELLI, CLYMER, W. KELLER,  
M. O'BRIEN, O'NEILL, SIPTROTH, J. TAYLOR AND YOUNGBLOOD,  
FEBRUARY 13, 2007

REFERRED TO COMMITTEE ON LIQUOR CONTROL, FEBRUARY 13, 2007

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 providing for reporting requirements.

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

20 Section 1. The act of April 12, 1951 (P.L.90, No.21), known  
21 as the Liquor Code, reenacted and amended June 29, 1987 (P.L.32,  
22 No.14), is amended by adding a section to read:

23 Section 415. Reporting.--(a) A corporation, association or  
24 other board licensed entity, except a club, having officers, or  
25 directors, or stockholders, shall report a change in officers,

or directors, or stockholders within fifteen days. A change in stockholders involving less than ten per centum of outstanding voting stock need not be reported, except when the change involves a majority or controlling interest. Control is defined as the power or authority to manage, direct, govern, administer or oversee the operation of the licensed business.

(b) The changes shall be reported on forms which will be furnished upon request by the board. For a change in stockholders, an affidavit describing, in detail, the source of funds used to purchase the stock shall accompany the form. If funds to purchase the stock are derived from a written financing agreement, the financing agreement shall also accompany the form.

(c) Club change of officers shall be reported with the renewal of club license on forms furnished by the board upon request. Change of club manager or steward shall be reported with the renewal of club license and at license validation on forms furnished by the board upon request.

(d) Change of officer forms for club licensees shall be accompanied by a fee of forty dollars (\$40.00). When a background investigation is conducted to obtain or verify information regarding a club change of officer, an additional fee of sixty dollars (\$60.00), for a total fee of one hundred dollars (\$100.00), will be assessed. Change of officer forms for changes of corporate officers other than clubs shall be accompanied by a fee of two hundred dollars (\$200.00) when the change of officer does not constitute a change in majority/controlling interest. If the change of corporate officer does constitute a change in majority/controlling interest, fees will be assessed in accordance with section 614-A

1 of the act of April 9, 1929 (P.L.177, No.175), known as "The  
2 Administrative Code of 1929."

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