

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2542 Session of 2010

INTRODUCED BY M. SMITH, BELFANTI, BRIGGS, CALTAGIRONE, DALEY,  
FREEMAN, JOSEPHS, KNOWLES, MAHONEY, MATZIE, MICOZZIE,  
MILLARD, MIRABITO, MURPHY, MURT, M. O'BRIEN, PYLE, READSHAW,  
REICHLEY, SEIP, SIPTROTH AND THOMAS, MAY 26, 2010

REFERRED TO COMMITTEE ON LIQUOR CONTROL, MAY 26, 2010

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 the definition of "eligible entity."

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, reenacted and amended June 29, 1987 (P.L.32, No.14)  
23 and amended November 29, 2006 (P.L.1421, No.155), is amended to  
24 read:

1 Section 102. Definitions.--The following words or phrases,  
2 unless the context clearly indicates otherwise, shall have the  
3 meanings ascribed to them in this section:

4 \* \* \*

5 "Eligible entity" shall mean a nonprofit organization that  
6 operates either a Main Street Program or Elm Street Program  
7 recognized by the Commonwealth, the National Trust for Historic  
8 Preservation or both; a city of the third class, a hospital, a  
9 church, a synagogue, a volunteer fire company, a volunteer  
10 ambulance company, a volunteer rescue squad, a unit of a  
11 nationally chartered club which has been issued a club liquor  
12 license, a club in a city of the third class which has been  
13 issued a club liquor license and which, as of December 31, 2002,  
14 has been in existence for at least 100 years, a library, a  
15 nationally accredited Pennsylvania nonprofit zoological  
16 institution licensed by the United States Department of  
17 Agriculture, a nonprofit agricultural association in existence  
18 for at least ten years, a bona fide sportsmen's club in  
19 existence for at least ten years, a nationally chartered  
20 veterans' organization and any affiliated lodge or subdivision  
21 of such organization, a fraternal benefit society that is  
22 licensed to do business in this Commonwealth and any affiliated  
23 lodge or subdivision of such fraternal benefit society, a museum  
24 operated by a nonprofit corporation in a city of the third class  
25 or township of the first class, a nonprofit corporation engaged  
26 in the performing arts in a city of the third class, borough or  
27 in an incorporated town, an arts council, a nonprofit  
28 corporation that operates an arts facility or museum in a city  
29 of the third class in the county of the fourth class, a  
30 nonprofit organization as defined under section 501(c)(3) of the

1 Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. §  
2 501(c)(3)) whose purpose is to protect the architectural  
3 heritage of boroughs and which has been recognized as such by a  
4 municipal resolution, a nonprofit organization as defined under  
5 section 501(c)(3) of the Internal Revenue Code of 1986 (Public  
6 Law 99-514, 26 U.S.C. § 501(c)(3)) conducting a regatta in a  
7 city of the second class with the permit to be used on State  
8 park grounds or conducting a family-oriented celebration as part  
9 of Welcome America in a city of the first class on property  
10 leased from that city for more than fifty years, a nonprofit  
11 organization as defined under section 501(c)(3) of the Internal  
12 Revenue Code of 1986 26 U.S.C. § 501(c)(3)) whose purpose is to  
13 raise funds for the research and treatment of cystic fibrosis, a  
14 nonprofit organization as defined under section 501(c)(3) of the  
15 Internal Revenue Code of 1986 26 U.S.C. § 501(c)(3)) whose  
16 purpose is to educate the public on issues dealing with  
17 watershed conservation, a nonprofit organization as defined  
18 under section 501(c)(3) of the Internal Revenue Code of 1986  
19 (Public Law 99-514, 26 U.S.C. § 501(c)(3)) whose purpose is to  
20 provide equine assisted activities for children and adults with  
21 special needs, a nonprofit economic development agency in a city  
22 of the second class with the primary function to serve as an  
23 economic generator for the greater southwestern Pennsylvania  
24 region by attracting and supporting film, television and related  
25 media industry projects and coordinating government and business  
26 offices in support of a production, a county tourist promotion  
27 agency as defined in section 3(1) of the act of April 28, 1961  
28 (P.L.111, No.50), known as the "Tourist Promotion Law," and  
29 located in a city of the third class in a county of the fourth  
30 class or located in a township of the second class in a county

1 of the fifth class, a junior league in a third class county that  
2 is a nonprofit organization as defined under section 501(c)(3)  
3 of the Internal Revenue Code of 1986 (26 U.S.C. § 501(c)(3))  
4 that is comprised of women whose purpose is exclusively  
5 educational and charitable in promoting the volunteerism of  
6 women and developing and participating in community projects and  
7 that has been in existence for over seventy years or a nonprofit  
8 organization as defined under section 501(C)(6) of the Internal  
9 Revenue Code of 1986 which is located in a city of the third  
10 class in a county of the third class and whose purpose is to  
11 support business and industry.

12 \* \* \*

13 Section 2. This act shall take effect immediately.