

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 323 Session of 2015

INTRODUCED BY FONTANA, VULAKOVICH, SMITH, COSTA, SCHWANK,
RAFFERTY AND HUGHES, JANUARY 23, 2015

REFERRED TO LAW AND JUSTICE, JANUARY 23, 2015

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," in
17 preliminary provisions, further defining "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 July 5, 2012 (P.L.1007, No.116), is amended to read:

24 Section 102. Definitions.--The following words or phrases,
25 unless the context clearly indicates otherwise, shall have the

1 meanings ascribed to them in this section:

2 * * *

3 "Eligible entity" shall mean a city of the third class, a
4 hospital, a church, a synagogue, a volunteer fire company, a
5 volunteer ambulance company, a volunteer rescue squad, a unit of
6 a nationally chartered club which has been issued a club liquor
7 license, a club which has been issued a club liquor license and
8 which, as of December 31, 2002, has been in existence for at
9 least 100 years, a library, a nationally accredited Pennsylvania
10 nonprofit zoological institution licensed by the United States
11 Department of Agriculture, a nonprofit agricultural association
12 in existence for at least ten years, a bona fide sportsmen's
13 club in existence for at least ten years, a nationally chartered
14 veterans' organization and any affiliated lodge or subdivision
15 of such organization, a fraternal benefit society that is
16 licensed to do business in this Commonwealth and any affiliated
17 lodge or subdivision of such fraternal benefit society, a museum
18 operated by a nonprofit corporation, a nonprofit corporation
19 engaged in the performing arts, an arts council, a nonprofit
20 corporation that operates an arts facility or museum, a
21 nonprofit organization as defined under section 501(c)(3) of the
22 Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. §
23 501(c)(3)) whose purpose is to protect the architectural
24 heritage of boroughs or a township of the second class and which
25 has been recognized as such by a municipal resolution, a
26 nonprofit organization as defined under section 501(c)(3) of the
27 Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. §
28 501(c)(3)) conducting a regatta in a city of the second class
29 with the permit to be used on State park grounds or conducting a
30 family-oriented celebration as part of Welcome America in a city

1 of the first class on property leased from that city for more
2 than fifty years, a nonprofit organization as defined under
3 section 501(c)(3) of the Internal Revenue Code of 1986 (26
4 U.S.C. § 501(c)(3)) whose purpose is to raise funds for the
5 research and treatment of cystic fibrosis, a nonprofit
6 organization as defined under section 501(c)(3) of the Internal
7 Revenue Code of 1986 (26 U.S.C. § 501(c)(3)) whose purpose is to
8 educate the public on issues dealing with watershed
9 conservation, a nonprofit organization as defined under section
10 501(c)(3) of the Internal Revenue Code of 1986 (Public Law 99-
11 514, 26 U.S.C. § 501(c)(3)) whose purpose is to provide equine
12 assisted activities for children and adults with special needs,
13 a nonprofit economic development agency in a city of the second
14 class with the primary function to serve as an economic
15 generator for the greater southwestern Pennsylvania region by
16 attracting and supporting film, television and related media
17 industry projects and coordinating government and business
18 offices in support of a production, a county tourist promotion
19 agency as defined in section 3(1) of the act of April 28, 1961
20 (P.L.111, No.50), known as the "Tourist Promotion Law," a junior
21 league that is a nonprofit organization as defined under section
22 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. §
23 501(c)(3)) that is comprised of women whose purpose is
24 exclusively educational and charitable in promoting the
25 volunteerism of women and developing and participating in
26 community projects and that has been in existence for over
27 seventy years, a nonprofit organization as defined under section
28 501(c)(3) of the Internal Revenue Code of 1986 and whose purpose
29 is the education and promotion of American history, a nonprofit
30 organization as defined under section 501(c)(6) of the Internal

1 Revenue Code of 1986 whose purpose is to support business and
2 industry, a brewery which has been issued a license to
3 manufacture malt or brewed beverages and has been in existence
4 for at least 100 years or a club recognized by Rotary
5 International and whose purpose is to provide service to others,
6 to promote high ethical standards and to advance world
7 understanding, goodwill and peace through its fellowship of
8 business, professional and community leaders or a nonprofit
9 organization as defined under section 501(c)(3) of the Internal
10 Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 501(c)(3))
11 whose purpose is to promote mushrooms while supporting local and
12 regional charities, a museum operated by a not-for-profit
13 corporation in a city of the second class A, a nonprofit
14 organization as defined under section 501(c)(3) of the Internal
15 Revenue Code of 1986 which is located in a city of the second
16 class A and has as its purpose economic and community
17 development, a nonprofit organization as defined under section
18 501(c)(3) or (6) of the Internal Revenue Code of 1986 that is
19 located in a city of the third class in a county of the fifth
20 class, a nonprofit social service organization defined under
21 section 501(c)(3) of the Internal Revenue Code of 1986 located
22 in a county of the third class whose purpose is to serve
23 individuals and families in that county of the third class, a
24 nonprofit organization as defined under section 501(c)(3) of the
25 Internal Revenue Code of 1986 whose main purpose is to
26 temporarily foster stray and unwanted animals and match them to
27 suitable permanent homes or a nonprofit organization as defined
28 under section 501(c)(3) of the Internal Revenue Code of 1986 who
29 operates either a Main Street Program or Elm Street Program
30 recognized by the Commonwealth, the National Trust for Historic

1 Preservation or both, a nonprofit radio station that is a member
2 of the National Public Radio network, a nonprofit public
3 television station that is a member of the Pennsylvania Public
4 Television Network [or], a nonprofit organization as defined
5 under section 501(c)(3) of the Internal Revenue Code of 1986
6 whose purpose is to promote awareness, education and research
7 and to provide a support system for patients with neutropenia
8 and their families through a national resource network[.], a
9 nonprofit organization as defined under section 501(c)(3) of the
10 Internal Revenue Code of 1986 whose main purpose is to stimulate
11 community development by facilitating residential and retail
12 growth in a city of the second class located in a county of the
13 second class or a nonprofit community development corporation
14 organized under section 501(c)(3) of the Internal Revenue Code
15 of 1986 that serves an adjoining borough and township in a
16 county of the second class and whose main purpose is to
17 facilitate commercial development and foster neighborhood
18 stabilization.

19 * * *

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