

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 412 Session of 2015

INTRODUCED BY BRIGGS, MILLARD, FREEMAN, DAVIDSON, THOMAS, DEASY, DeLUCA, BARBIN, COHEN AND ROZZI, FEBRUARY 9, 2015

REFERRED TO COMMITTEE ON LIQUOR CONTROL, FEBRUARY 9, 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] July 4,  
21 2008 (P.L.621, No.50), known as the "Tourism Promotion Act," a  
22 junior league that is a nonprofit organization as defined under  
23 section 501(c)(3) of the Internal Revenue Code of 1986 (26  
24 U.S.C. § 501(c)(3)) that is comprised of women whose purpose is  
25 exclusively educational and charitable in promoting the  
26 volunteerism of women and developing and participating in  
27 community projects and that has been in existence for over  
28 seventy years, a nonprofit organization as defined under section  
29 501(c)(3) of the Internal Revenue Code of 1986 and whose purpose  
30 is the education and promotion of American history, a nonprofit

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

1 recognized by the Commonwealth, the National Trust for Historic  
2 Preservation or both, a nonprofit radio station that is a member  
3 of the National Public Radio network, a nonprofit public  
4 television station that is a member of the Pennsylvania Public  
5 Television Network [or], a nonprofit organization as defined  
6 under section 501(c)(3) of the Internal Revenue Code of 1986  
7 whose purpose is to promote awareness, education and research  
8 and to provide a support system for patients with neutropenia  
9 and their families through a national resource network[.] or any  
10 neighborhood improvement district management association as  
11 defined in section 3 of the act of December 20, 2000 (P.L.949,  
12 No.130), known as the "Neighborhood Improvement District Act,"  
13 that has been established as a 501(c)(3) nonprofit organization  
14 under section 501(c)(3) of the Internal Revenue Code of 1986.

15 \* \* \*

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