

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 86 Session of 2023

INTRODUCED BY MAJOR, SMITH, PICKETT, JAMES, STAATS, FLICK, ROWE, KEEFER AND ARMANINI, MARCH 7, 2023

REFERRED TO COMMITTEE ON LIQUOR CONTROL, MARCH 7, 2023

AN ACT

1 Amending the act of April 12, 1951 (P.L.90, No.21), entitled "An  
 2 act relating to alcoholic liquors, alcohol and malt and  
 3 brewed beverages; amending, revising, consolidating and  
 4 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 providing for definitions.

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, is amended to read:

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

1 \* \* \*

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

1 grounds or conducting a family-oriented celebration as part of  
2 Welcome America in a city of the first class on property leased  
3 from that city for more than fifty years, a nonprofit  
4 organization as defined under section 501(c)(3) of the Internal  
5 Revenue Code of 1986 (26 U.S.C. § 501(c)(3)) whose purpose is to  
6 raise funds for the research and treatment of cystic fibrosis, a  
7 nonprofit organization as defined under section 501(c)(3) of the  
8 Internal Revenue Code of 1986 (26 U.S.C. § 501(c)(3)) whose  
9 purpose is to educate the public on issues dealing with  
10 watershed conservation, a nonprofit organization as defined  
11 under section 501(c)(3) of the Internal Revenue Code of 1986  
12 (Public Law 99-514, 26 U.S.C. § 501(c)(3)) whose purpose is to  
13 provide equine assisted activities for children and adults with  
14 special needs, a nonprofit economic development agency in a city  
15 of the second class with the primary function to serve as an  
16 economic generator for the greater southwestern Pennsylvania  
17 region by attracting and supporting film, television and related  
18 media industry projects and coordinating government and business  
19 offices in support of a production, a county tourist promotion  
20 agency as defined in section 2 of the act of July 4, 2008  
21 (P.L.621, No.50), known as the "Tourism Promotion Act," a junior  
22 league that is a nonprofit organization as defined under section  
23 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. §  
24 501(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 under  
6 section 501(c)(3) of the Internal Revenue Code of 1986 whose  
7 purpose is to promote awareness, education and research and to  
8 provide a support system for patients with neutropenia and their  
9 families through a national resource network, a nonprofit  
10 organization as defined under section 501(c)(3) of the Internal  
11 Revenue Code of 1986 whose main purpose is to stimulate  
12 community development by facilitating residential and retail  
13 growth in a city of the second class located in a county of the  
14 second class or a nonprofit community development corporation  
15 organized under section 501(c)(3) of the Internal Revenue Code  
16 of 1986 that serves an adjoining borough and township in a  
17 county of the second class and whose main purpose is to  
18 facilitate commercial development and foster neighborhood  
19 stabilization, a nonprofit organization as defined under section  
20 501(c)(3) of the Internal Revenue Code of 1986 whose purpose is  
21 to provide young people with a program to build character, to  
22 teach the responsibilities of citizenship and to develop  
23 personal fitness with a goal of creating future leaders, a  
24 nonprofit as defined in section 501(c)(3) of the Internal  
25 Revenue Code of 1986 whose main purpose is to assist children  
26 and their families who are facing financial hardship due to the  
27 death of a parent, a nonprofit as defined under section 501(c)  
28 (3) of the Internal Revenue Code of 1986 whose purpose is to  
29 allocate funds for research to expedite a cure achromatopsia, a  
30 nonprofit organization as defined under section 501(c)(3) of the

1 Internal Revenue Code of 1986 that is located in a city of the  
2 first class, was organized as a community development  
3 organization to promote health, safety and welfare of the  
4 residents, businesses and institutions of a neighborhood of a  
5 city of the first class, and whose works include public  
6 promotions, neighborhood improvement projects and commercial  
7 corridor improvements, including a business improvement  
8 district, or a nonprofit organization as defined under section  
9 501(c)(3) of the Internal Revenue Code of 1986 that is  
10 responsible for providing services to members of the armed  
11 forces of the United States and relief to disaster victims in  
12 the United States and abroad, or any neighborhood improvement  
13 district management association as defined in section 3 of the  
14 act of December 20, 2000 (P.L.949, No.130), known as the  
15 "Neighborhood Improvement District Act," that has been  
16 established as a 501(c)(3) nonprofit organization under section  
17 501(c)(3) of the Internal Revenue Code of 1986, a nonprofit  
18 organization as defined under section 501(c)(3) of the Internal  
19 Revenue Code of 1986 located in a city of the first class whose  
20 purpose is to support initiatives to enrich the lives of  
21 children, teens and families especially those in need, to reach  
22 their full potential as productive and responsible citizens and  
23 has been in existence for at least seventy-five years, or a  
24 nonprofit organization as defined under section 501(c)(3) of the  
25 Internal Revenue Code of 1986 located in a city of the second  
26 class and incorporated as a nonprofit in 1982 that offers adult  
27 education and family literacy, or a nonprofit organization as  
28 defined under section 501(c)(3) of the Internal Revenue Code of  
29 1986 located in a city of the third class and county of the  
30 sixth class, whose purpose is primary and secondary education

1 and educational ministry of the Diocese of Erie, a nonprofit  
2 organization as defined under section 501(c)(3) of the Internal  
3 Revenue Code located in a county of the fourth class that had a  
4 population between 142,000 and 144,000 based on the 2010  
5 Decennial Census of the Bureau of the Census and provides  
6 rewards for information that leads to the arrest of individuals  
7 that may have committed a crime or a nonprofit organization as  
8 defined under section 501(c)(3) of the Internal Revenue Code of  
9 1986 which is located in a city of the third class in a county  
10 of the fifth class whose mission is to improve the quality of  
11 life for individuals with developmental disabilities and the  
12 families of the individuals through advocacy, education, support  
13 and socialization and that has been in existence for over sixty  
14 years.] shall mean a city of the third class, a hospital, a  
15 church, a synagogue, a volunteer fire company, a volunteer  
16 ambulance company, a volunteer rescue squad, a unit of a  
17 nationally chartered club which has been issued a club liquor  
18 license, a club which has been issued a club liquor license and  
19 which, as of December 31, 2002, has been in existence for at  
20 least one hundred years, a library, a nationally accredited  
21 Pennsylvania nonprofit zoological institution licensed by the  
22 United States Department of Agriculture, a nonprofit  
23 agricultural association in existence for at least ten years, a  
24 bona fide sportsmen's club in existence for at least ten years,  
25 a nationally chartered veterans' organization and any affiliated  
26 lodge or subdivision of such organization, a fraternal benefit  
27 society that is licensed to do business in this Commonwealth and  
28 any affiliated lodge or subdivision of such fraternal benefit  
29 society, any nationally recognized community-based voluntary  
30 health organization committed to fighting cancer which has been

1 in existence for at least one hundred years, a museum operated  
2 by a nonprofit corporation, a nonprofit corporation engaged in  
3 the performing arts, an arts council, a nonprofit corporation  
4 that operates an arts facility or museum, a nonprofit  
5 organization as defined under 26 U.S.C. § 501(c)(6) (relating to  
6 exemption from tax on corporations, certain trusts, etc.) whose  
7 purpose is to support business and industry, a nonprofit  
8 organization as defined under 26 U.S.C. § 501(c)(3) or (6) that  
9 is located in a city of the third class in a county of the fifth  
10 class, a nonprofit economic development agency in a city of the  
11 second class with the primary function to serve as an economic  
12 generator for the greater southwestern Pennsylvania region by  
13 attracting and supporting film, television and related media  
14 industry projects and coordinating government and business  
15 offices in support of a production, a county tourist promotion  
16 agency as defined in section 2 of the act of July 4, 2008  
17 (P.L.621, No.50), known as the "Tourism Promotion Act," a  
18 brewery which has been issued a license to manufacture malt or  
19 brewed beverages and has been in existence for at least one  
20 hundred years or a club recognized by Rotary International and  
21 whose purpose is to provide service to others, to promote high  
22 ethical standards and to advance world understanding, goodwill  
23 and peace through its fellowship of business, professional and  
24 community leaders, a museum operated by a not-for-profit  
25 corporation in a city of the second class A, a nonprofit radio  
26 station that is a member of the National Public Radio network, a  
27 nonprofit public television station that is a member of the  
28 Pennsylvania Public Television Network or a nonprofit  
29 organization as defined under 26 U.S.C. § 501(c)(3).

30 \* \* \*



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