

No. 196

AN ACT

SB 516

Amending the act of April 12, 1951 (P.L.90, No.21), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," authorizing special occasion permits for certain sportsmen's clubs.

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

Section 1. Section 408.4, act of April 12, 1951 (P.L.90, No.21), known as the "Liquor Code," added May 12, 1972 (P.L.291, No.71), is amended to read:

Section 408.4. Special Occasion Permits.—(a) Upon application of any hospital, church, synagogue, *bona fide sportsmen's clubs in existence for at least ten years* or volunteer fire company and upon payment of a fee of twenty-five dollars (\$25) per day, the board shall issue a special occasion permit good for a period of not more than three consecutive days.

(b) In any city, borough, incorporated town or township in which the sale of liquor and/or malt or brewed beverages has been approved by the electorate, such special occasion permit shall authorize the hospital, church, synagogue, *bona fide sportsmen's clubs in existence for at least ten years* or volunteer fire company to sell liquor and/or malt or brewed beverages as the case may be to any adult person on any day for which the permit is issued.

(c) Such special occasion permit shall only be valid for the number of days stated in the permit. Only one permit may be issued to any hospital, church, synagogue, *bona fide sportsmen's clubs in existence for at least ten years* or volunteer fire company, including their auxiliaries or affiliates during the year.

(d) Such permits shall only be issued for use at a special event including, but not limited to bazaars, picnics and clambakes. The special event must be one which is used by the hospital, church, synagogue, *bona fide sportsmen's clubs in existence for at least ten years* or volunteer fire company as a means of raising funds for itself.

(e) The provisions of this section shall not be applicable to any licensee now or hereafter possessing a caterer's license, nor to any professional fund raiser.

(f) Any person selling liquor or malt or brewed beverages in violation of this section shall, upon summary conviction, be sentenced to pay a fine of two hundred fifty dollars (\$250) for the first offense and a fine of five hundred dollars (\$500) for each subsequent offense. This fine shall be in addition to any other penalty imposed by law for the illegal sale of malt or brewed beverages.

Section 2. This act shall take effect immediately.

APPROVED—The 9th day of July, A. D. 1976.

MILTON J. SHAPP