

at the actual receipts received by him during his first month of business and the amount of the tax due.

(d) Every person subject to the tax imposed by this act who commences business subsequent to the beginning of any tax year for such tax year and for his first full tax year shall on or before January thirty-first of the succeeding tax year, file a return with the collector setting forth his name, his business and business address, and such information as [may be necessary in arriving at the actual receipts received by him during his first month of business and the amount of tax due.] the collector may consider to be necessary.

(e) Every person subject to the payment of the tax imposed by this act who engages in a business, temporary, seasonal or itinerant by its nature, shall, within seven (7) days from the day he completes such business, file a return with the collector setting forth his name, his business and business address, and such information as [may be necessary in arriving at the actual receipts received by him during such period and the amount of the tax due.] the collector may consider to be necessary.

Section 6. Section 6 and subsection (a) of section 12 of the act, reenacted and amended May 10, 1951 (P. L. 265) are amended to read:

Section 6. Payment at the Time of Filing the Return.—The person making the [same] return shall pay the amount of tax shown as due thereon to the collector.

Section 12. Saving Clauses.—(a) The validity of any ordinance or part of any ordinance providing for or relating to the imposition, levy or collection of any tax for municipal purposes passed by the council of a city coextensive with a school district of the first class, and any amendments or supplements thereto, shall not be affected or impaired by anything contained in this act.

* * *

Section 7. This act shall take effect immediately.

APPROVED—The 16th day of November, A. D. 1967.

RAYMOND P. SHAFER

No. 247

AN ACT

SB 883

Amending the act of April 12, 1951 (P. L. 90), 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 issuance of special permits for the retail sale of malt or brewed beverages on certain premises under certain conditions, authorizing licenses for the retail sale of liquor and malt and brewed beverages in certain stadiums or arenas in cities of the first class or created under and in compliance with the "Public Auditorium Authorities Law" under certain terms and conditions, and authorizing licenses for the retail sale of liquor and malt or brewed beverages on certain premises in cities of the first and second class under certain terms and conditions.

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

Section 1. Subsections (a), (d), (g) and (h) of section 408.1, act of April 12, 1951 (P. L. 90), known as the "Liquor Code," added December 15, 1965 (P. L. 1106) are amended to read:

Section 408.1. Trade Show and Convention Licenses.—(a) The board is authorized to issue a license in any city of the first or second class for the retail sale of liquor and malt or brewed beverages by the glass, open bottles or other container or in any mixture for consumption in any restaurant or other appropriate location on city-owned premises or on premises of an authority created under the act of July 29, 1953 (P. L. 1034), known as the "Public Auditorium Authorities Law" customarily used or available for use for trade shows and conventions. Any concessionaire selected and certified by the city or its authorized agency or by the authority may apply for a license.

* * *

(d) The license shall be issued for the same period as provided for restaurant licenses and shall be renewed as in section 402. The license shall terminate upon revocation by the board or upon termination of the contract between the concessionaire and the city or authority.

* * *

(g) Sales by the holder of a trade show and convention license may be made except to those persons prohibited under clause (1) of section 493 of this act on city-owned or authority-owned, leased or operated premises customarily used or available for use for trade shows and conventions during the hours in which the convention or trade show is being held and up to one hour after the scheduled closing, and at functions which are incidental to or a part of the trade show or convention, but such sales may not be made beyond the hours expressed in the act for the sale of liquor by restaurant licensees: Provided, however, That during the hours expressed in this act for the sale of liquor by hotel licensees, sales of such liquor or malt or brewed bev-

erages may be made by said licensee at banquets, not incidental to trade shows or conventions, at which more than two thousand persons are scheduled to attend, and at functions irrespective of attendance, which are directly related to the Philadelphia Commercial Museum or the Center for International Visitors: And provided further, That no such sale shall be made at any sporting, athletic or theatrical event.

(h) Whenever a contract is terminated prior to the expiration date provided in the contract between the city or authority and the concessionaire, the city or authority may select and certify to the board a different concessionaire which concessionaire shall apply to the board for a new license. If the applicant meets the requirements of the board as herein provided a new license shall thereupon be issued.

* * *

Section 2. Subsections (a), (b), (c) and (d) of section 433.1 of the act, added July 10, 1961 (P. L. 561), are amended to read:

Section 433.1. [Sporting Events] Stadium or Arena Permits.—(a) The board is hereby authorized to issue, in cities of the first and second class, special [temporary] permits allowing the holders thereof to make retail sales of malt or brewed beverages in [paper] shatterproof containers at [sporting] all events [in which] on premises principally utilized for competition of professional and amateur athletes [compete on premises] and other types of entertainment having [a] an available seating capacity of [twenty-five] twelve thousand or more: Provided, however, That in cities of the second class this section shall be applicable only to premises owned, leased or operated by any authority created under the act of July 29, 1953 (P. L. 1034), known as the "Public Auditorium Authorities Law." Such sales may be made only to adults [on the premises] and only on days other than Sunday [No sale shall be permitted except] when the premises are so used and only during the period from one hour before the start of and ending one-half hour after the close of [any sporting] the event on the premises.

(b) The owner or lessee or a concessionaire of any such premises [in which professional athletes compete in sporting events] may make application for a permit. The aforesaid permits shall be issued only to reputable individuals, partnerships and associations, who are or whose members are citizens of the United States and have for two years prior to the date of their applications been residents of the Commonwealth of Pennsylvania, or to reputable corporations organ-

ized or duly registered under the laws of the Commonwealth of Pennsylvania, all of whose officers and directors are citizens of the United States. Each applicant shall furnish proof satisfactory to the board that he is of good repute and financially responsible and that the premises upon which he proposes to do business is a proper place. The applicant shall submit such other information as the board may require. Applications shall be, in writing on forms prescribed by the board, and signed and sworn to by the applicant. Every application shall be accompanied by an application fee of twenty-five dollars (\$25), a permit fee of one hundred dollars (\$100) and a surety bond in the amount of one thousand dollars (\$1000) conditioned the same as the license bonds required by this act for retail dispenser licenses.

(c) Upon receipt of the application in proper form, the application fee, the permit fee and bond, and upon being satisfied that the applicant is of good repute and financially responsible and that the proposed place of business is proper, the board shall issue a special [temporary] permit to the applicant. Only one permit issued under this section shall be in effect on any such premises [in which professional athletes compete in sporting events] at any time. [and shall be limited to the duration of the respective sports seasons including post season sporting events]

(d) No permit shall be transferable or assignable. [Each permit shall state on its face the period during which it is valid.] The board may by regulation fix the permit year and provide for the renewal of such permits. Whenever a permit is revoked, another may be issued for the same premises to another applicant upon compliance with the provisions of this section.

* * *

Section 3. Subsection (a.1) of section 463 of the act, added December 1, 1965 (P. L. 979), is amended to read:

Section 463. Places of Amusement Not To Be Licensed; Penalty.—
* * *

(a.1) Nothing contained in subsection (a) of this section or in section 102 of this act shall be construed as denying to the board the right to grant a club or restaurant liquor or malt and brewed beverage license to a club incorporated in this Commonwealth which has been in existence less than one year prior to making application under this section or to a restaurant either of which has a clubhouse or restaurant located in a stadium or arena having an available seating capacity of twelve thousand or more and owned and operated by or pursuant to an agreement with any city of the first class or created and oper-

ated under and in compliance with the act of July 29, 1953 (P. L. 1034), known as the "Public Auditorium Authorities Law," [having seating capacity of twenty-five thousand (25,000) or more] and used principally for events at which athletes compete or other types of performers entertain. The club or restaurant liquor or malt and brewed beverage license aforementioned shall be subject to all the conditions and restrictions applicable to such licenses and licenses for places of amusement, except the above prohibition against any passageway or communication between such licensed premises and the place of amusement.

* * *

Section 4. All acts and parts of acts, general, local and special, are repealed in so far as they are inconsistent herewith.

Section 5. This act shall take effect immediately.

APPROVED—The 17th day of November, A. D. 1967.

RAYMOND P. SHAFER

No. 248

AN ACT

HB 994

Repealing the act of June 13, 1961 (P. L. 286), entitled "An act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey 3.68 acres, more or less, of land situate in Indiana Borough, Indiana County."

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

Section 1. The act of June 13, 1961 (P. L. 286), entitled "An act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey 3.68 acres, more or less, of land situate in Indiana Borough, Indiana County," is repealed.

Section 2. This act shall take effect immediately.

APPROVED—The 21st day of November, A. D. 1967.

RAYMOND P. SHAFER