

## WHAT LICENSEES SHOULD KNOW ABOUT ACT 26 OF 2006

On April 13, 2006, Governor Rendell signed Senate Bill No. 969 into law. Now known as Act 26 of 2006, the bill amended three (3) sections of the Liquor Code. These changes, which will be effective on June 12, 2006, are summarized below. If you have any questions concerning these changes, or any other portions of the liquor laws, you may contact the Board's Office of Chief Counsel, 401 Northwest Office Building, Harrisburg, PA 17124-0001, phone (717) 783-9454.

- ***Eligible entities.***

The definition of "eligible entity" for the purpose of obtaining a special occasion permit has been expanded to include: 1) a non-profit organization as defined under section 501(c)(3) of the Internal Revenue Code [26 U.S.C. § 501(c)(3)] whose purpose is to provide equine assisted activities for children and adults with special needs; 2) a county tourist promotion agency, as defined in the Tourist Promotion Law, located in a city of the third class in a county of the fourth class; and 3) a non-profit organization as defined under section 501(c)(6) of the Internal Revenue Code [26 U.S.C. § 501(c)(6)] which is located in a city of the third class in a county of the third class and whose purpose is to support business and industry. [Section 102].

- ***Compliance with R.A.M.P.***

Currently, compliance with responsible alcohol management training is not mandatory for licensees receiving adjudicated citations involving sales to minors or to visibly intoxicated persons under section 493(1) of the Liquor Code. Starting on June 12, 2006, however, the administrative law judge ("ALJ") must require a licensee to comply with the Board's responsible alcohol management program ("R.A.M.P."), for a period of up to one (1) year, when the licensee has violated section 493(1) for the first time. If a licensee is found to have violated this section more than once (i.e., a second or subsequent offense), the ALJ may require R.A.M.P. compliance again, for a period of up to one (1) year. [Section 471(d), (e)].

- ***Noise exemption expanded.***

A restaurant liquor licensee located on premises owned by a city of the first class, which is located on the National Register of Historic Places and contains a structure at least one hundred (100) years old, is exempted from the Board's Regulations regarding amplified music. [Section 493.1(d)].