

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held October 8, 2015

John F. Mizner, Esq., Chairman
George D. Bedwick, Vice Chairman
W. Russell Faber
Murray Ufberg, Esq.
Dennis A. Watson, Esq.

Regulation No. 54-84 (#3098)
Pennsylvania Liquor Control Board
Right To Occupy

On May 5, 2015, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Liquor Control Board (Board). This rulemaking amends 40 Pa. Code (§§ 7.2, 7.4). The proposed regulation was published in the May 30, 2015 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on September 3, 2015.

Prior to approval of a transfer of ownership or transfer of ownership and location, the Board's regulations require an applicant to establish its right to occupy the proposed licensed premises by presenting a deed or lease for the premises, or bill of sale. The final-form regulation amends that requirement to allow for other types of written proof to reflect the fact that the right to occupy may be obtained through other means.

We have determined this regulation is consistent with the statutory authority of the Board (47 P.S. § 2-207(i)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

BY ORDER OF THE COMMISSION:

This regulation is approved.



A handwritten signature in blue ink, reading "Dennis A. Watson", is written over a horizontal line.

Dennis A. Watson, Esq., Commissioner