

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 941 Session of 2013

INTRODUCED BY CLYMER, STERN, PICKETT, BAKER, HENNESSEY, FLECK, STURLA, KAUFFMAN, HESS, LAWRENCE, MURT, SWANGER, DENLINGER AND V. BROWN, MARCH 12, 2013

REFERRED TO COMMITTEE ON LIQUOR CONTROL, MARCH 12, 2013

AN ACT

1 Amending the act of April 12, 1951 (P.L.90, No.21), entitled, as
 2 reenacted, "An act relating to alcoholic liquors, alcohol and
 3 malt and brewed beverages; amending, revising, consolidating
 4 and 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,"
 17 further providing for the sale of certain containers of malt
 18 or brewed beverages by distributors and importing
 19 distributors.

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

22 Section 1. Section 441(b) and (i) of the act of April 12,
 23 1951 (P.L.90, No.21), known as the Liquor Code, reenacted and
 24 amended June 29, 1987 (P.L.32, No.14) and amended or added
 25 December 9, 2002 (P.L.1653, No.212) and December 22, 2011
 26 (P.L.530, No.113), are amended to read:

1 Section 441. Distributors' and Importing Distributors'
2 Restrictions on Sales, Storage, Etc.--* * *

3 (b) (1) No distributor or importing distributor shall sell
4 any malt or brewed beverages in quantities of less than a case
5 or original containers containing one hundred twenty-eight fluid
6 ounces or more which may be sold separately: Provided, That no
7 malt or brewed beverages sold or delivered shall be consumed
8 upon the premises of the distributor or importing distributor,
9 or in any place provided for such purpose by such distributor or
10 importing distributor. Notwithstanding any other provision of
11 this section or act, malt or brewed beverages which are part of
12 a tasting conducted pursuant to the board's regulations may be
13 consumed on licensed premises.

14 (2) No distributor or importing distributor shall sell malt
15 or brewed beverages in a container containing one hundred
16 twenty-eight fluid ounces or more without first requiring the
17 purchaser to execute a numbered form providing for the
18 purchaser's name and address and such other information as the
19 board may prescribe. Following execution of the numbered form,
20 the distributor or importing distributor shall affix to the
21 container an identification sticker that corresponds to the
22 number on the form completed by the purchaser. Records required
23 under this clause shall be maintained in accordance with the
24 rules and regulations of the board.

25 * * *

26 (i) Notwithstanding any other provision to the contrary,
27 except as set forth in subsection (b) (2), when making a sale of
28 malt or brewed beverages to a private individual, no distributor
29 or importing distributor may be required to collect the name,
30 address or any other identifying information of the private

1 individual for the purpose of keeping a record of the quantity
2 of cases or volume of malt or brewed beverages purchased.

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