

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1534 Session of
1975

INTRODUCED BY SULLIVAN, MCGINNIS, SALVATORE, GIAMMARCO,
DiDONATO AND McINTYRE, JUNE 24, 1975

REFERRED TO COMMITTEE ON LIQUOR CONTROL, JUNE 25, 1975

AN ACT

1 Amending the act of April 12, 1951 (P.L.90, No.21), entitled "An
2 act relating to alcoholic liquors, alcohol and malt and
3 brewed beverages; amending, revising, consolidating and
4 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 reducing certain crimes to summary offenses and changing
18 penalties.

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

21 Section 1. Clause (25) of section 493, act of April 12, 1951
22 (P.L.90, No.21), amended September 25, 1967 (P.L.307, No.135),
23 known as the "Liquor Code," is amended to read:

24 Section 493. Unlawful Acts Relative to Liquor, Malt and
25 Brewed Beverages and Licensees.--The term "licensee," when used
26 in this section, shall mean those persons licensed under the

1 provisions of Article IV, unless the context clearly indicates
2 otherwise.

3 It shall be unlawful--

4 * * *

5 (25) Employment of Females in Licensed Places.--For any
6 licensee or his agent, to employ or permit the employment of any
7 female at his licensed hotel, restaurant or eating place for the
8 purpose of enticing customers, or to encourage them to drink
9 liquor, or make assignations for improper purposes: Provided,
10 That nothing in this section shall be construed to prevent the
11 employment of any female waitress who regularly takes orders for
12 food from serving food, liquor or malt or brewed beverages at
13 tables; also, that nothing shall prevent any such licensees from
14 employing any female stenographer, hotel secretary, clerk or
15 other employe for their respective positions: Provided, further,
16 That nothing in this section shall be so construed as to prevent
17 the wife of any such licensee or agent or any employed female
18 from mixing or serving liquor or malt or brewed beverages behind
19 the bar of any such licensed place.

20 Any person violating the provisions of this clause shall [be
21 guilty of a misdemeanor and] upon conviction [of the same,
22 shall] in a summary proceeding be sentenced to pay a fine of not
23 less than one hundred dollars (\$100), nor more than [five
24 hundred dollars (\$500)] three hundred dollars (\$300) for each
25 and every female so employed, or undergo an imprisonment of not
26 less than three (3) months, nor more than one (1) year, or
27 either or both. [at the discretion of the court having
28 jurisdiction of the case.] The board shall have the power to
29 revoke or refuse licenses for violation of this clause.

30 * * *

1 Section 2. Subsection (a) of section 494 of the act, amended
2 May 25, 1956 (P.L.1743, No.583), is amended to read:

3 Section 494. Penalties.--(a) Any person who shall violate
4 any of the provisions of this article, except as otherwise
5 specifically provided, shall [be guilty of a misdemeanor and,]
6 upon conviction thereof, [shall] in a summary proceeding be
7 sentenced to pay a fine of not less than one hundred dollars
8 (\$100), nor more than [five hundred dollars (\$500)] three
9 hundred dollars (\$300) and on failure to pay such fine, to
10 imprisonment for not less than one month, nor more than three
11 months, and for any subsequent offense, shall be sentenced to
12 pay a fine [not less than] of three hundred dollars (\$300), [nor
13 more than five hundred dollars (\$500)] and to undergo
14 imprisonment for a period not less than three months, nor more
15 than one year.

16 * * *

17 Section 3. This act shall take effect immediately.