

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 397

Session of  
1981

INTRODUCED BY SIEMINSKI, CALTAGIRONE, HASAY AND COCHRAN,  
FEBRUARY 3, 1981

REFERRED TO COMMITTEE ON LIQUOR CONTROL, FEBRUARY 3, 1981

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 providing for unlawful consumption of liquor and malt and  
18 brewed beverages in certain instances.

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

21 Section 1. The act of April 12, 1951 (P.L.90, No.21), known  
22 as the "Liquor Code," is amended by adding a section to read:

23 Section 493.1. Unlawful Consumption of Liquor and Malt and  
24 Brewed Beverages.--(a) Except as otherwise authorized by this  
25 act, it shall be unlawful for any person by himself or by an

1 employe or agent to permit another person to consume liquor or  
2 malt and brewed beverages at any place which he owns or  
3 operates. The provisions of this section shall not apply to a  
4 private residence.

5 (b) Except as provided in subsection (c), any person who  
6 violates the provisions of subsection (a) shall be sentenced to  
7 pay a fine of not less than one thousand dollars (\$1,000) or be  
8 imprisoned for a term of not less than one year nor more than  
9 five years, or both.

10 (c) Any person convicted of a second or subsequent violation  
11 of the provisions of subsection (a) shall be sentenced to pay a  
12 fine of not less than five thousand dollars (\$5,000) nor more  
13 than ten thousand dollars (\$10,000) or be imprisoned for a term  
14 of not less than five years nor more than ten years, or both.

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