

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1145 Session of  
1987

INTRODUCED BY TRELLO, FOX, FARGO, COLE, D. W. SNYDER, HALUSKA,  
KENNEY, DOMBROWSKI, PETRONE, DeLUCA, BELFANTI, MAIALE,  
HOWLETT, LUCYK, VEON, CIVERA, PRESTON AND R. C. WRIGHT,  
APRIL 27, 1987

REFERRED TO COMMITTEE ON LIQUOR CONTROL, APRIL 27, 1987

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 limiting the liability of club licensees for damages  
18 inflicted upon third persons by certain customers.

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

21 Section 1. Section 497 of the act of April 12, 1951 (P.L.90,  
22 No.21), known as the Liquor Code, added December 22, 1965  
23 (P.L.1144, No.441), is amended to read:

24 Section 497. Liability of Licensees.--No licensee shall be  
25 liable to third persons on account of damages inflicted upon

1   them off of the licensed premises by customers of the licensee  
2   unless the customer who inflicts the damages was sold, furnished  
3   or given liquor or malt or brewed beverages by the said licensee  
4   or his agent, servant or employe when the said customer was  
5   visibly intoxicated. In the case of a club licensee the limits  
6   of liability shall be one hundred thousand dollars (\$100,000)  
7   for damages inflicted upon one person and three hundred thousand  
8   dollars (\$300,000) for damages inflicted upon more than one  
9   person.

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