

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 79 Session of 2013

INTRODUCED BY GREENLEAF, TARTAGLIONE AND VULAKOVICH,  
JANUARY 9, 2013

REFERRED TO LAW AND JUSTICE, JANUARY 9, 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," in  
 17 licenses and regulations, further providing for the sale of  
 18 certain containers of malt or brewed beverages by  
 19 distributors and importing distributors.

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

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

26 Section 441. Distributors' and Importing Distributors'

1 Restrictions on Sales, Storage, Etc.--\* \* \*

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

13 (2) No distributor or importing distributor shall sell malt  
14 or brewed beverages in a container containing one hundred  
15 twenty-eight fluid ounces or more without first requiring the  
16 purchaser to execute a numbered form providing for the  
17 purchaser's name and address and such other information as the  
18 board may prescribe. Following execution of the numbered form,  
19 the distributor or importing distributor shall affix to the  
20 container an identification tag that corresponds to the number  
21 on the form completed by the purchaser. Records required under  
22 this clause shall be maintained in accordance with the rules and  
23 regulations of the board. The removal of an identification tag  
24 in violation of this clause and the rules and regulations of the  
25 board shall be a summary offense. This clause shall not apply to  
26 the sale of a container by an importing distributor or a  
27 distributor to another importing distributor or distributor.

28 \* \* \*

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