

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1382 Session of  
2017

INTRODUCED BY CARROLL, MILLARD, PASHINSKI AND NEILSON,  
MAY 18, 2017

REFERRED TO COMMITTEE ON LIQUOR CONTROL, MAY 18, 2017

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, liquor, alcohol and malt and brewed  
18 beverages, further providing for unlawful acts relative to  
19 malt or brewed beverages and licensees.

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

22 Section 1. Section 492 of the act of April 12, 1951 (P.L.90,  
23 No.21), known as the Liquor Code, is amended by adding a  
24 paragraph to read:

25 Section 492. Unlawful Acts Relative to Malt or Brewed  
26 Beverages and Licensees.--

1 It shall be unlawful--

2 \* \* \*

3 (22) Pricing of Malt and Brewed Beverages by Manufacturers.

4 For any manufacturer to grant a more favorable price, allowance,  
5 rebate, refund, payment term, commission, discount or service to  
6 an importing distributor as compared to a different importing  
7 distributor based on the quantity of malt and brewed beverages  
8 purchased or any other reason except as otherwise provided in  
9 this paragraph. This paragraph shall not apply to freight and  
10 transportation costs, price promotions on malt and brewed  
11 beverage products for special events in a particular market not  
12 to exceed fourteen (14) consecutive days, point-of-sale  
13 advertising materials, sponsorships, consumer specialty items,  
14 consumer sweepstakes and novelties. The following shall apply:

15 (i) Nothing in this paragraph shall be construed to prohibit  
16 a supplier from offering a lower price or discount in order to  
17 match that of a competing supplier providing a similar category  
18 of malt and brewed beverage products throughout this  
19 Commonwealth or in a particular market of this Commonwealth.

20 (ii) A person in violation of this paragraph shall be  
21 subject to a fine of not more than one thousand dollars  
22 (\$1,000).

23 (iii) The board shall promulgate regulations necessary to  
24 implement this paragraph.

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