
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1531 Session of
1977

INTRODUCED BY ITKIN, GARZIA, POTT, SWEET, WHITE AND BRUNNER,
JULY 26, 1977

REFERRED TO COMMITTEE ON LIQUOR CONTROL, JULY 26, 1977

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 permitting the out-of-State purchase of wine or liquor not in
18 stock at liquor stores and providing for payment of the tax
19 thereon.

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

22 Section 1. Clause (2) of section 491, act of April 12, 1951
23 (P.L.90, No.21), known as the "Liquor Code," is amended by
24 adding after the second paragraph a paragraph to read:

25 Section 491. Unlawful Acts Relative to Liquor, Alcohol and
26 Liquor Licensees.--

1 It shall be unlawful--

2 * * *

3 (2) Possession or Transportation of Liquor or Alcohol.

4 * * *

5 Notwithstanding any other provisions of this act, an
6 individual may purchase wine or liquor in another state and
7 transport it into the Commonwealth if: (i) that amount of wine
8 or liquor is not available in or through the State liquor
9 stores; and (ii) the Pennsylvania taxes on the wine or liquor
10 are paid within seventy-two hours after the wine or liquor is
11 transported into the Commonwealth. The board shall provide at
12 the State liquor stores forms for the declaration of out-of-
13 State purchases, for the payment of the taxes and for the
14 marking of containers.

15 * * *

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