

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL  
No. 1306 Session of  
1985

INTRODUCED BY LESCOVITZ, MAY 29, 1985

SENATOR SHUMAKER, LAW AND JUSTICE, IN SENATE, AS AMENDED,  
JUNE 18, 1986

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 WINE-BASED AND MALT-BASED BEVERAGES; AND <—  
18 exempting ceramic commemorative bottle collections from  
19 certain provisions of this act.

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

22 SECTION 1. SECTION 102 OF THE ACT OF APRIL 12, 1951 (P.L.90, <—  
23 NO.21), KNOWN AS THE LIQUOR CODE, IS AMENDED BY ADDING  
24 DEFINITIONS TO READ:

25 SECTION 102. DEFINITIONS.--THE FOLLOWING WORDS OR PHRASES,

1 UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE, SHALL HAVE THE  
2 MEANINGS ASCRIBED TO THEM IN THIS SECTION:

3 \* \* \*

4 "MALT COOLERS" SHALL MEAN A MALT OR BREWED BEVERAGE WITH AN  
5 ALCOHOL CONTENT OF LESS THAN EIGHT PER CENTUM BY VOLUME  
6 CONSISTING OF A BLEND OF A BARLEY-BASED MALT OR BREWED BEVERAGE,  
7 FRUIT PULP AND/OR FRUIT JUICES AND OTHER INGREDIENTS.

8 \* \* \*

9 "WINE COOLERS" SHALL MEAN A WINE-BASED BEVERAGE WITH AN  
10 ALCOHOL CONTENT OF LESS THAN EIGHT PER CENTUM BY VOLUME  
11 CONSISTING OF A BLEND OF WINE, FRUIT PULP AND/OR FRUIT JUICES  
12 AND OTHER INGREDIENTS.

13 \* \* \*

14 SECTION 2. THE ACT IS AMENDED BY ADDING A SECTION TO READ:  
15 SECTION 208.1. MALT COOLERS.--IN ADDITION TO ANY OTHER  
16 POWER, DUTY OR AUTHORITY CONTAINED IN THIS ACT, THE BOARD MAY  
17 PURCHASE FROM THE MANUFACTURER AND OFFER MALT COOLERS FOR SALE  
18 IN THE STATE STORES.

19 SECTION 3. SECTION 407 OF THE ACT IS AMENDED TO READ:

20 SECTION 407. SALE OF MALT OR BREWED BEVERAGES AND WINE  
21 COOLERS BY LIQUOR LICENSEES.--EVERY LIQUOR LICENSE ISSUED TO A  
22 HOTEL, RESTAURANT, CLUB, OR A RAILROAD, PULLMAN OR STEAMSHIP  
23 COMPANY UNDER THIS SUBDIVISION (A) FOR THE SALE OF LIQUOR SHALL  
24 AUTHORIZE THE LICENSEE TO SELL MALT OR BREWED BEVERAGES AND WINE  
25 COOLERS AT THE SAME PLACES BUT SUBJECT TO THE SAME RESTRICTIONS  
26 AND PENALTIES AS APPLY TO SALES OF LIQUOR, EXCEPT THAT LICENSEES  
27 OTHER THAN CLUBS MAY SELL MALT OR BREWED BEVERAGES AND WINE  
28 COOLERS FOR CONSUMPTION OFF THE PREMISES WHERE SOLD IN  
29 QUANTITIES OF NOT MORE THAN ONE HUNDRED FORTY-FOUR FLUID OUNCES  
30 IN A SINGLE SALE TO ONE PERSON. NO LICENSEE UNDER THIS

1 SUBDIVISION (A) SHALL AT THE SAME TIME BE THE HOLDER OF ANY  
2 OTHER CLASS OF LICENSE, EXCEPT A RETAIL DISPENSER'S LICENSE  
3 AUTHORIZING THE SALE OF MALT OR BREWED BEVERAGES AND WINE  
4 COOLERS ONLY.

5 SECTION 4. SECTION 431(A) AND (B) OF THE ACT, AMENDED AUGUST  
6 17, 1965 (P.L.346, NO.182) AND OCTOBER 9, 1967 (P.L.395,  
7 NO.179), ARE AMENDED TO READ:

8 SECTION 431. MALT AND BREWED BEVERAGES MANUFACTURERS',  
9 DISTRIBUTORS' AND IMPORTING DISTRIBUTORS' LICENSES.--(A) THE  
10 BOARD SHALL ISSUE TO ANY PERSON A RESIDENT OF THIS COMMONWEALTH  
11 OF GOOD REPUTE WHO APPLIES THEREFOR, PAYS THE LICENSE FEE  
12 HEREINAFTER PRESCRIBED, AND FILES THE BOND HEREINAFTER REQUIRED,  
13 A MANUFACTURER'S LICENSE TO PRODUCE AND MANUFACTURE MALT OR  
14 BREWED BEVERAGES, AND TO TRANSPORT, SELL AND DELIVER MALT OR  
15 BREWED BEVERAGES AND WINE COOLERS AT OR FROM ONE OR MORE PLACES  
16 OF MANUFACTURE OR STORAGE, ONLY IN ORIGINAL CONTAINERS, IN  
17 QUANTITIES OF NOT LESS THAN A CASE OF TWENTY-FOUR CONTAINERS,  
18 EACH CONTAINER HOLDING SEVEN FLUID OUNCES OR MORE, OR A CASE OF  
19 TWELVE CONTAINERS, EACH CONTAINER HOLDING TWENTY-FOUR FLUID  
20 OUNCES OR MORE, EXCEPT ORIGINAL CONTAINERS CONTAINING ONE  
21 HUNDRED TWENTY-EIGHT OUNCES OR MORE WHICH MAY BE SOLD SEPARATELY  
22 ANYWHERE WITHIN THE COMMONWEALTH. LICENSES FOR PLACES OF STORAGE  
23 SHALL BE LIMITED TO THOSE MAINTAINED BY MANUFACTURERS ON JULY  
24 EIGHTEENTH, ONE THOUSAND NINE HUNDRED THIRTY-FIVE, AND THE BOARD  
25 SHALL ISSUE NO LICENSES FOR PLACES OF STORAGE IN ADDITION TO  
26 THOSE MAINTAINED ON JULY EIGHTEENTH, ONE THOUSAND NINE HUNDRED  
27 THIRTY-FIVE. THE APPLICATION FOR SUCH LICENSE SHALL BE IN SUCH  
28 FORM AND CONTAIN SUCH INFORMATION AS THE BOARD SHALL REQUIRE.  
29 ALL SUCH LICENSES SHALL BE GRANTED FOR THE CALENDAR YEAR. EVERY  
30 MANUFACTURER SHALL KEEP AT HIS OR ITS PRINCIPAL PLACE OF

1 BUSINESS, WITHIN THE COMMONWEALTH DAILY PERMANENT RECORDS WHICH  
2 SHALL SHOW, (1) THE QUANTITIES OF RAW MATERIALS RECEIVED AND  
3 USED IN THE MANUFACTURE OF MALT OR BREWED BEVERAGES AND WINE  
4 COOLERS AND THE QUANTITIES OF MALT OR BREWED BEVERAGES AND WINE  
5 COOLERS MANUFACTURED AND STORED, (2) THE SALES OF MALT OR BREWED  
6 BEVERAGES AND WINE COOLERS, (3) THE QUANTITIES OF MALT OR BREWED  
7 BEVERAGES AND WINE COOLERS STORED FOR HIRE OR TRANSPORTED FOR  
8 HIRE BY OR FOR THE LICENSEE, AND (4) THE NAMES AND ADDRESSES OF  
9 THE PURCHASERS OR OTHER RECIPIENTS THEREOF. EVERY PLACE LICENSED  
10 AS A MANUFACTURER SHALL BE SUBJECT TO INSPECTION BY MEMBERS OF  
11 THE BOARD OR BY PERSONS DULY AUTHORIZED AND DESIGNATED BY THE  
12 BOARD, AT ANY AND ALL TIMES OF THE DAY OR NIGHT, AS THEY MAY  
13 DEEM NECESSARY, FOR THE DETECTION OF VIOLATIONS OF THIS ACT OR  
14 OF THE RULES AND REGULATIONS OF THE BOARD, OR FOR THE PURPOSE OF  
15 ASCERTAINING THE CORRECTNESS OF THE RECORDS REQUIRED TO BE KEPT  
16 BY LICENSEES. THE BOOKS AND RECORDS OF SUCH LICENSEES SHALL AT  
17 ALL TIMES BE OPEN TO INSPECTION BY MEMBERS OF THE BOARD OR BY  
18 PERSONS DULY AUTHORIZED AND DESIGNATED BY THE BOARD. MEMBERS OF  
19 THE BOARD AND ITS DULY AUTHORIZED AGENTS SHALL HAVE THE RIGHT,  
20 WITHOUT HINDRANCE, TO ENTER ANY PLACE WHICH IS SUBJECT TO  
21 INSPECTION HEREUNDER OR ANY PLACE WHERE SUCH RECORDS ARE KEPT  
22 FOR THE PURPOSE OF MAKING SUCH INSPECTIONS AND MAKING  
23 TRANSCRIPTS THEREOF.

24 (B) THE BOARD SHALL ISSUE TO ANY REPUTABLE PERSON WHO  
25 APPLIES THEREFOR, PAYS THE LICENSE FEE HEREINAFTER PRESCRIBED,  
26 AND FILES THE BOND HEREINAFTER REQUIRED, A DISTRIBUTOR'S OR  
27 IMPORTING DISTRIBUTOR'S LICENSE FOR THE PLACE WHICH SUCH PERSON  
28 DESIRES TO MAINTAIN FOR THE SALE OF MALT OR BREWED BEVERAGES AND  
29 WINE COOLERS, NOT FOR CONSUMPTION ON THE PREMISES WHERE SOLD,  
30 AND IN QUANTITIES OF NOT LESS THAN TWENTY-FOUR CONTAINERS, EACH

1 CONTAINER HOLDING SEVEN FLUID OUNCES OR MORE, OR TWELVE  
2 CONTAINERS, EACH CONTAINER HOLDING TWENTY-FOUR FLUID OUNCES OR  
3 MORE, EXCEPT ORIGINAL CONTAINERS CONTAINING ONE HUNDRED TWENTY-  
4 EIGHT OUNCES OR MORE WHICH MAY BE SOLD SEPARATELY AND SUCH  
5 CONTAINERS TO BE THE ORIGINAL CONTAINERS AS PREPARED FOR THE  
6 MARKET BY THE MANUFACTURER AT THE PLACE OF MANUFACTURE: AND  
7 PROVIDED FURTHER, THAT THE BOARD SHALL HAVE THE DISCRETION TO  
8 REFUSE A LICENSE TO ANY PERSON OR TO ANY CORPORATION,  
9 PARTNERSHIP OR ASSOCIATION IF SUCH PERSON, OR ANY OFFICER OR  
10 DIRECTOR OF SUCH CORPORATION, OR ANY MEMBER OR PARTNER OF SUCH  
11 PARTNERSHIP OR ASSOCIATION SHALL HAVE BEEN CONVICTED OR FOUND  
12 GUILTY OF A FELONY WITHIN A PERIOD OF FIVE YEARS IMMEDIATELY  
13 PRECEDING THE DATE OF APPLICATION FOR THE SAID LICENSE.

14 EXCEPT AS HEREINAFTER PROVIDED, SUCH LICENSE SHALL AUTHORIZE  
15 THE HOLDER THEREOF TO SELL OR DELIVER MALT OR BREWED BEVERAGES  
16 AND WINE COOLERS IN QUANTITIES ABOVE SPECIFIED ANYWHERE WITHIN  
17 THE COMMONWEALTH OF PENNSYLVANIA, WHICH, IN THE CASE OF  
18 DISTRIBUTORS, HAVE BEEN PURCHASED ONLY FROM PERSONS LICENSED  
19 UNDER THIS ACT AS MANUFACTURERS OR IMPORTING DISTRIBUTORS, AND  
20 IN THE CASE OF IMPORTING DISTRIBUTORS, HAVE BEEN PURCHASED FROM  
21 MANUFACTURERS OR PERSONS OUTSIDE THIS COMMONWEALTH ENGAGED IN  
22 THE LEGAL SALE OF MALT OR BREWED BEVERAGES AND WINE COOLERS OR  
23 FROM MANUFACTURERS OR IMPORTING DISTRIBUTORS LICENSED UNDER THIS  
24 ARTICLE.

25 EACH OUT OF STATE MANUFACTURER OF MALT OR BREWED BEVERAGES  
26 AND WINE COOLERS WHOSE PRODUCTS ARE SOLD AND DELIVERED IN THIS  
27 COMMONWEALTH SHALL GIVE DISTRIBUTING RIGHTS FOR SUCH PRODUCTS IN  
28 DESIGNATED GEOGRAPHICAL AREAS TO SPECIFIC IMPORTING  
29 DISTRIBUTORS, AND SUCH IMPORTING DISTRIBUTOR SHALL NOT SELL OR  
30 DELIVER MALT OR BREWED BEVERAGES AND WINE COOLERS MANUFACTURED

1 BY THE OUT OF STATE MANUFACTURER TO ANY PERSON ISSUED A LICENSE  
2 UNDER THE PROVISIONS OF THIS ACT WHOSE LICENSED PREMISES ARE NOT  
3 LOCATED WITHIN THE GEOGRAPHICAL AREA FOR WHICH HE HAS BEEN GIVEN  
4 DISTRIBUTING RIGHTS BY SUCH MANUFACTURER: PROVIDED, THAT THE  
5 IMPORTING DISTRIBUTOR HOLDING SUCH DISTRIBUTING RIGHTS FOR SUCH  
6 PRODUCT SHALL NOT SELL OR DELIVER THE SAME TO ANOTHER IMPORTING  
7 DISTRIBUTOR WITHOUT FIRST HAVING ENTERED INTO A WRITTEN  
8 AGREEMENT WITH THE SAID SECONDARY IMPORTING DISTRIBUTOR SETTING  
9 FORTH THE TERMS AND CONDITIONS UNDER WHICH SUCH PRODUCTS ARE TO  
10 BE RESOLD WITHIN THE TERRITORY GRANTED TO THE PRIMARY IMPORTING  
11 DISTRIBUTOR BY THE MANUFACTURER.

12 WHEN A PENNSYLVANIA MANUFACTURER OF MALT OR BREWED BEVERAGES  
13 AND WINE COOLERS LICENSED UNDER THIS ARTICLE NAMES OR  
14 CONSTITUTES A DISTRIBUTOR OR IMPORTING DISTRIBUTOR AS THE  
15 PRIMARY OR ORIGINAL SUPPLIER OF HIS PRODUCT, HE SHALL ALSO  
16 DESIGNATE THE SPECIFIC GEOGRAPHICAL AREA FOR WHICH THE SAID  
17 DISTRIBUTOR OR IMPORTING DISTRIBUTOR IS GIVEN DISTRIBUTING  
18 RIGHTS, AND SUCH DISTRIBUTOR OR IMPORTING DISTRIBUTOR SHALL NOT  
19 SELL OR DELIVER THE PRODUCTS OF SUCH MANUFACTURER TO ANY PERSON  
20 ISSUED A LICENSE UNDER THE PROVISIONS OF THIS ACT WHOSE LICENSED  
21 PREMISES ARE NOT LOCATED WITHIN THE GEOGRAPHICAL AREA FOR WHICH  
22 DISTRIBUTING RIGHTS HAVE BEEN GIVEN TO THE DISTRIBUTOR AND  
23 IMPORTING DISTRIBUTOR BY THE SAID MANUFACTURER: PROVIDED, THAT  
24 THE IMPORTING DISTRIBUTOR HOLDING SUCH DISTRIBUTING RIGHTS FOR  
25 SUCH PRODUCT SHALL NOT SELL OR DELIVER THE SAME TO ANOTHER  
26 IMPORTING DISTRIBUTOR WITHOUT FIRST HAVING ENTERED INTO A  
27 WRITTEN AGREEMENT WITH THE SAID SECONDARY IMPORTING DISTRIBUTOR  
28 SETTING FORTH THE TERMS AND CONDITIONS UNDER WHICH SUCH PRODUCTS  
29 ARE TO BE RESOLD WITHIN THE TERRITORY GRANTED TO THE PRIMARY  
30 IMPORTING DISTRIBUTOR BY THE MANUFACTURER. NOTHING HEREIN

1 CONTAINED SHALL BE CONSTRUED TO PREVENT ANY MANUFACTURER FROM  
2 AUTHORIZING THE IMPORTING DISTRIBUTOR HOLDING THE DISTRIBUTING  
3 RIGHTS FOR A DESIGNATED GEOGRAPHICAL AREA FROM SELLING THE  
4 PRODUCTS OF SUCH MANUFACTURER TO ANOTHER IMPORTING DISTRIBUTOR  
5 ALSO HOLDING DISTRIBUTING RIGHTS FROM THE SAME MANUFACTURER FOR  
6 ANOTHER GEOGRAPHICAL AREA, PROVIDING SUCH AUTHORITY BE CONTAINED  
7 IN WRITING AND A COPY THEREOF BE GIVEN TO EACH OF THE IMPORTING  
8 DISTRIBUTORS SO AFFECTED. ALL WINE COOLERS SHALL REMAIN SUBJECT  
9 TO THE ACT OF JUNE 9, 1936 (1ST SP.SESS., P.L.13, NO.4),  
10 ENTITLED, AS REENACTED AND AMENDED, "AN ACT IMPOSING AN  
11 EMERGENCY STATE TAX ON LIQUOR, AS HEREIN DEFINED, SOLD BY THE  
12 PENNSYLVANIA LIQUOR CONTROL BOARD; PROVIDING FOR THE COLLECTION  
13 AND PAYMENT OF SUCH TAX; AND IMPOSING DUTIES UPON THE DEPARTMENT  
14 OF REVENUE AND THE PENNSYLVANIA LIQUOR CONTROL BOARD," AND  
15 ARTICLE II OF THE ACT OF MARCH 4, 1971 (P.L.6, NO.2), KNOWN AS  
16 THE "TAX REFORM CODE OF 1971."

17 \* \* \*

18 SECTION 5. THE HEADING AND SECTION 432(F) OF THE ACT,  
19 AMENDED MAY 9, 1984 (P.L.246, NO.54), ARE AMENDED TO READ:

20 SECTION 432. MALT AND BREWED BEVERAGES AND WINE COOLERS  
21 RETAIL LICENSES.--\* \* \*

22 (F) HOTEL, EATING PLACES, OR MUNICIPAL GOLF COURSE RETAIL  
23 DISPENSER LICENSEES WHOSE SALES OF FOOD AND NONALCOHOLIC  
24 BEVERAGES ARE EQUAL TO FORTY PER CENTUM (40%) OR MORE OF THE  
25 COMBINED GROSS SALES OF BOTH FOOD AND MALT OR BREWED BEVERAGES  
26 AND WINE COOLERS MAY SELL MALT OR BREWED BEVERAGES AND WINE  
27 COOLERS BETWEEN THE HOURS OF ELEVEN O'CLOCK ANTEMERIDIAN ON  
28 SUNDAY AND TWO O'CLOCK ANTEMERIDIAN ON MONDAY UPON PURCHASE OF A  
29 SPECIAL ANNUAL PERMIT FROM THE BOARD AT A FEE OF TWO HUNDRED  
30 DOLLARS (\$200.00) PER YEAR, WHICH SHALL BE IN ADDITION TO ANY

1 OTHER LICENSE FEES. PROVIDED FURTHER, THE HOLDER OF SUCH SPECIAL  
2 ANNUAL PERMIT MAY SELL MALT OR BREWED BEVERAGES AND WINE COOLERS  
3 AFTER SEVEN O'CLOCK ANTEMERIDIAN AND UNTIL TWO O'CLOCK  
4 ANTEMERIDIAN OF THE FOLLOWING DAY, ON ANY DAY ON WHICH A  
5 GENERAL, MUNICIPAL, SPECIAL OR PRIMARY ELECTION IS BEING HELD.

6 SECTION 6. SECTION 438(A) OF THE ACT IS AMENDED TO READ:

7 SECTION 438. NUMBER AND KINDS OF LICENSES ALLOWED SAME  
8 LICENSEE.--(A) ANY RETAIL DISPENSER MAY BE GRANTED LICENSES TO  
9 MAINTAIN, OPERATE OR CONDUCT ANY NUMBER OF PLACES FOR THE SALE  
10 OF MALT OR BREWED BEVERAGES AND WINE COOLERS, BUT A SEPARATE  
11 LICENSE MUST BE SECURED FOR EACH PLACE WHERE MALT OR BREWED  
12 BEVERAGES ARE SOLD.

13 \* \* \*

14 SECTION 7. SECTION 442(A) AND (B) OF THE ACT, AMENDED  
15 OCTOBER 9, 1967 (P.L.413, NO.183) AND MAY 9, 1984 (P.L.246,  
16 NO.54), ARE AMENDED TO READ:

17 SECTION 442. RETAIL DISPENSERS' RESTRICTIONS ON PURCHASES  
18 AND SALES.--(A) NO RETAIL DISPENSER SHALL PURCHASE OR RECEIVE  
19 ANY MALT OR BREWED BEVERAGES AND WINE COOLERS EXCEPT IN ORIGINAL  
20 CONTAINERS AS PREPARED FOR THE MARKET BY THE MANUFACTURER AT THE  
21 PLACE OF MANUFACTURE. THE RETAIL DISPENSER MAY THEREAFTER BREAK  
22 THE BULK UPON THE LICENSED PREMISES AND SELL OR DISPENSE THE  
23 SAME FOR CONSUMPTION ON OR OFF THE PREMISES SO LICENSED:  
24 PROVIDED, HOWEVER, THAT NO RETAIL DISPENSER MAY SELL MALT OR  
25 BREWED BEVERAGES AND WINE COOLERS FOR CONSUMPTION OFF THE  
26 PREMISES IN QUANTITIES IN EXCESS OF ONE HUNDRED FORTY-FOUR FLUID  
27 OUNCES: PROVIDED, FURTHER, THAT NO CLUB LICENSEE MAY SELL ANY  
28 MALT OR BREWED BEVERAGES AND WINE COOLERS FOR CONSUMPTION OFF  
29 THE PREMISES WHERE SOLD OR TO PERSONS NOT MEMBERS OF THE CLUB.

30 (B) NO RETAIL DISPENSER SHALL SELL ANY MALT OR BREWED



1 BEVERAGES AND WINE COOLERS FOR CONSUMPTION ON THE LICENSED  
2 PREMISES EXCEPT IN A ROOM OR ROOMS OR PLACE ON THE LICENSED  
3 PREMISES AT ALL TIMES ACCESSIBLE TO THE USE AND ACCOMMODATION OF  
4 THE GENERAL PUBLIC, BUT THIS SECTION SHALL NOT BE INTERPRETED TO  
5 PROHIBIT A RETAIL DISPENSER FROM SELLING MALT OR BREWED  
6 BEVERAGES AND WINE COOLERS IN A HOTEL OR CLUB HOUSE IN ANY ROOM  
7 OF SUCH HOTEL OR CLUB HOUSE OCCUPIED BY A BONA FIDE REGISTERED  
8 GUEST OR MEMBER ENTITLED TO PURCHASE THE SAME OR TO PROHIBIT A  
9 RETAIL DISPENSER FROM SELLING MALT OR BREWED BEVERAGES AND WINE  
10 COOLERS IN A BOWLING ALLEY WHEN NO MINORS ARE PRESENT, UNLESS  
11 MINORS WHO ARE PRESENT ARE UNDER PROPER SUPERVISION AS DEFINED  
12 IN SECTION 493, WHERE THE LICENSED PREMISES AND BOWLING ALLEY  
13 ARE IMMEDIATELY ADJACENT AND UNDER THE SAME ROOF.

14 \* \* \*

15 Section ~~±~~ 8. The act of ~~April 12, 1951 (P.L.90, No.21),~~ <—  
16 ~~known as the Liquor Code,~~ is amended by adding a section to  
17 read:

18 Section 498. Exemptions for Collectors.--The provisions of  
19 sections 491 (1), (2), (3) and (11) and 493(4) and any other  
20 provisions relating to individuals selling, purchasing, trading  
21 or exchanging liquor shall not apply to any person who is  
22 twenty-one years of age or older who collects ceramic  
23 commemorative bottles or packages which contain liquor and who  
24 sells, trades or exchanges the ceramic commemorative bottles or  
25 packages with other collectors. This exemption shall apply only  
26 if:

27 (1) The ceramic commemorative bottle or package has an  
28 unbroken Federal tax stamp attached.

29 (2) The bottle or package was purchased at retail from a  
30 State Store or lawfully imported pursuant to the regulations of

1 the board.

2 (3) The sale, purchase, trade or exchange does not occur on  
3 the premises of any licensee.

4 (4) The sale, purchase, trade or exchange is not made for  
5 the purpose of using the liquor for personal consumption.

6 (5) The sale, purchase, trade or exchange is only for the  
7 purpose of transferring ceramic commemorative bottles or  
8 packages between private collectors.

9 Section 2 9. This act shall take effect in 60 days.

<—