

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 454

Session of
1987

INTRODUCED BY PICCOLA, SALOOM, MANMILLER, COLAFELLA, BOWSER,
MICHLOVIC, BELFANTI, SIRIANNI, BUNT, FLICK AND WOZNIAK,
FEBRUARY 25, 1987

REFERRED TO COMMITTEE ON LIQUOR CONTROL, FEBRUARY 25, 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 further providing for importing distributor distribution
18 rights.

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

21 Section 1. Section 431 of the act of April 12, 1951 (P.L.90,
22 No.21), known as the Liquor Code, is amended by adding a
23 subsection to read:

24 Section 431. Malt and Brewed Beverages Manufacturers',
25 Distributors' and Importing Distributors' Licenses.--* * *

1 (e) All importing distributors who are given distributing
2 rights by an out-of-State manufacturer of malt or brewed
3 beverages or by the primary importing distributor thereof, as
4 herein provided, shall sell or deliver the same to each and
5 every distributor within the specific geographic area for which
6 said importing distributor is given or acquires distributing
7 rights on a fair and equitable basis with respect to price and
8 quantity: Provided, That the importing distributor may require
9 said distributor to agree to a contract term, in substance or
10 effect, as follows:

11 The importing distributor expects that the distributor
12 will price competitively the importing distributor's
13 products handled by the distributor, devote reasonable
14 effort and resources to the sale of such products and
15 maintain a reasonable sale level.

16 Section 2. This act shall apply to all distributing rights
17 granted to importing distributors, whether granted prior to or
18 after the effective date of this act.

19 Section 3. This act shall take effect in 60 days.