

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2720 Session of
2000

INTRODUCED BY REINARD, DONATUCCI, L. I. COHEN, CORRIGAN,
McNAUGHTON, STEVENSON, McILHINNEY AND STEIL,
SEPTEMBER 14, 2000

REFERRED TO COMMITTEE ON LIQUOR CONTROL, SEPTEMBER 14, 2000

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,"
17 providing for a responsible licensee program.

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

20 Section 1. The act of April 12, 1951 (P.L.90, No.21), known
21 as the Liquor Code, reenacted and amended June 29, 1987 (P.L.32,
22 No.14), is amended by adding a section to read:

23 Section 471.1. Responsible Licensee Program.--(a) The
24 purpose of this section is to effect and promote the responsible
25 behavior of licensees within this Commonwealth to eliminate the

1 sale and consumption of alcoholic beverages to and by underage
2 persons and visibly intoxicated individuals, as well as reducing
3 intoxication-related accidents, injuries and deaths in this
4 Commonwealth. This section provides for a voluntary program to
5 allow responsible licensees and their employees to receive
6 training on issues concerning methods of recognizing and dealing
7 with underage customers, methods of recognizing and dealing with
8 visibly intoxicated individuals, and knowledge of law dealing
9 with the service of and operation of establishments serving
10 alcoholic beverages.

11 (b) The board shall establish a responsible licensee program
12 designed to encourage licensees and their employees and customers
13 to treat alcoholic beverages in a responsible manner. The
14 program shall include, without limitation, comprehensive
15 instruction on the prevention of the sale of alcoholic beverages
16 to persons not of a legal age or persons that are visibly
17 intoxicated.

18 (c) A licensee who seeks to qualify for certification as a
19 responsible licensee shall comply with the following
20 requirements:

21 (1) Provide or participate in a course of instruction for
22 its employees approved by the board which shall include subjects
23 dealing with alcoholic beverages; methods of recognizing and
24 dealing with underage customers and visibly intoxicated
25 customers, and the development of procedures for refusing to
26 sell alcoholic beverages to underage persons and visibly
27 intoxicated persons.

28 (2) Require each employee who is authorized to sell alcoholic
29 beverages in the normal course of his employment to complete the
30 employee training course as set forth above within thirty days of

1 employment with the licensee.

2 (3) Require trained employees to attend additional meetings
3 at least semiannually to discuss the course of instruction
4 information as described in this subsection.

5 (4) Require that a licensee maintain employment records of
6 the training of its employees required by this section.

7 (d) A licensee who seeks to be qualified as a responsible
8 licensee must provide to the board, pursuant to procedures or
9 regulations adopted by the board, evidence of compliance with
10 the requirements of this section. Upon satisfactory proof that
11 the licensee has complied with the requirements, the board shall
12 certify the licensee as a responsible vendor. Certification as a
13 responsible vendor shall be renewed annually.

14 (e) The Office of Administrative Law Judge shall consider
15 certification as a responsible vendor as mitigation for
16 administrative penalties for offenses not subject to enhanced
17 penalties.

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