

AMENDMENTS TO HOUSE BILL NO. 1902

Sponsor: REPRESENTATIVE COX

Printer's No. 2679

1 Amend Bill, page 1, line 16, by inserting after "laws,"
2 in Pennsylvania Liquor Control Board, further providing for
3 enforcement;

4 Amend Bill, page 1, line 20, by inserting after "licensees"
5 ; and making related repeals

6 Amend Bill, page 1, lines 23 through 26, by striking out all
7 of said lines and inserting

8 Section 1. Section 211 of the act of April 12, 1951 (P.L.90,
9 No.21), known as the Liquor Code, is amended by adding a
10 subsection to read:

11 Section 211. Enforcement.--* * *

12 (g) The following shall apply:

13 (1) An individual who is under twenty-one years of age may
14 purchase, attempt to purchase, possess or transport liquor or
15 malt or brewed beverages if all of the following apply:

16 (i) The individual is at least eighteen years of age.

17 (ii) The individual is an officer, employe or intern of the
18 Bureau of Liquor Control Enforcement of the Pennsylvania State
19 Police.

20 (iii) The individual has completed training specified by the
21 bureau.

22 (iv) The individual is acting within the scope of prescribed
23 duties.

24 (v) The individual is acting under the direct control or
25 supervision of a bureau officer who is an adult.

26 (2) Individuals under twenty-one years of age may not
27 consume liquor or malt or brewed beverages.

28 (3) The Pennsylvania State Police shall promulgate
29 regulations prescribing the manner in which compliance checks
30 are to be performed. Compliance checks under this subsection
31 shall be conducted in a manner consistent with the regulations.
32 Regulations shall require, at a minimum, all of the following:

33 (i) Prior to participation in the compliance check, the
34 officer, employe or intern shall undergo training approved by
35 the Bureau of Liquor Control Enforcement.

1 (ii) A person licensed to sell liquor or malt or brewed
2 beverages that is found to be in compliance with 18 Pa.C.S. §
3 6308 (relating to purchase, consumption, possession or
4 transportation of liquor or malt or brewed beverages) or 6310
5 (relating to inducement of minors to buy liquor or malt or
6 brewed beverages) during a compliance check shall be notified in
7 writing of the compliance check and the determination of
8 compliance.

9 (iii) A person licensed to sell liquor or malt or brewed
10 beverages that is found to be noncompliant with 18 Pa.C.S. §
11 6308 or 6310 during a compliance check shall be immediately
12 verbally advised by the supervising bureau officer and shall be
13 notified in writing of the failure to comply within ten working
14 days of the date of the compliance check.

15 (4) The provisions of this subsection shall expire December
16 31, 2022.

17 Section 2. Section 411(d) and (e) of the act, amended June
18 8, 2016 (P.L.273, No.39) and November 15, 2016 (P.L.1286,
19 No.166), are amended to read:

20 Amend Bill, page 5, line 19, by striking out "2" and
21 inserting

22 3

23 Amend Bill, page 7, line 3, by striking out all of said line
24 and inserting

25 Section 4. Repeals are as follows:

26 (1) The General Assembly declares that the repeal under
27 paragraphs (2) and (3) are necessary to effectuate the
28 addition of section 211(g) of the act.

29 (2) 18 Pa.C.S. §§ 6308(e) and 6310(c) are repealed.

30 (3) Section 2 of the act of December 3, 2002 (P.L.1144,
31 No.141), entitled "An act amending Title 18 (Crimes and
32 Offenses) of the Pennsylvania Consolidated Statutes, further
33 providing for purchase, consumption, possession or
34 transportation of liquor or malt or brewed beverages and for
35 inducement of minors to buy liquor or malt or brewed
36 beverages," is repealed.

37 Section 5. This act shall take effect immediately.