
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 553 Session of
1993

INTRODUCED BY ROEBUCK, D. W. SNYDER, KELLER, RAYMOND, PRESTON,
BISHOP, WILLIAMS, TRELLO, STABACK, STURLA, CIVERA, PESCI,
MELIO, GIGLIOTTI, DALEY, CARN, CALTAGIRONE, ROBINSON, JAROLIN
AND LINTON, MARCH 15, 1993

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, JUNE 20, 1994

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 extending enforcement powers of liquor control enforcement
18 officers; ~~AUTHORIZING A VOTER REFERENDUM TO CONSIDER ISSUING~~ <—
19 ~~LIQUOR LICENSES TO CERTAIN CLUBS IN DRY MUNICIPALITIES; AND~~
20 FURTHER PROVIDING FOR LOCAL OPTIONS AND FOR UNLAWFUL ACTS. <—

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

23 Section 1. ~~Section 211~~ SECTIONS 211 AND 472 of the act of <—
24 April 12, 1951 (P.L.90, No.21), known as the Liquor Code,
25 reenacted and amended June 29, 1987 (P.L.32, No.14), ~~is~~ ARE <—

1 amended to read:

2 Section 211. Enforcement.--(a) There is created within the
3 Pennsylvania State Police a Bureau of Liquor Control Enforcement
4 which shall be responsible for enforcing this act and any
5 regulations promulgated pursuant thereto. Officers and
6 investigators assigned to the bureau shall have the power and
7 their duty shall be:

8 (1) To investigate whenever there are reasonable grounds to
9 believe liquor, alcohol or malt or brewed beverages are being
10 sold on premises not licensed under the provisions of this act.
11 If the investigation produces evidence of the unlawful sale of
12 liquor or malt or brewed beverages or any other violation of the
13 provisions of this act, the officer involved in the
14 investigation shall institute criminal proceedings against the
15 person or persons believed to have been criminally liable, as
16 otherwise provided by law or rule of court.

17 [(2) To arrest on view, except in private homes, without
18 warrant, any person actually engaged in the unlawful sale,
19 importation, manufacture or transportation or having unlawful
20 possession of liquor, alcohol or malt or brewed beverages
21 contrary to the provisions of this act or any other law of this
22 Commonwealth.]

23 (2) To arrest on view, except in private homes, without
24 warrant, any person actually engaged in the unlawful sale,
25 importation, manufacture or transportation or having unlawful
26 possession of liquor, alcohol or malt or brewed beverages
27 contrary to the provisions of this act or any other law of this
28 Commonwealth or any person whom the officer/investigator, while
29 in the performance of his assigned duties under and pursuant to
30 this act and any regulations promulgated under this act,

1 observes to be in violation of any of the following provisions:

2 18 Pa.C.S. § 3302 (relating to causing or risking
3 catastrophe).

4 18 Pa.C.S. § 3304 (relating to criminal mischief).

5 18 Pa.C.S. § 4101 (relating to forgery).

6 18 Pa.C.S. § 5503 (relating to disorderly conduct).

7 18 Pa.C.S. § 5505 (relating to public drunkenness).

8 18 Pa.C.S. § 5512 (relating to lotteries, etc.).

9 18 Pa.C.S. § 5513 (relating to gambling devices,
10 gambling, etc.).

11 18 Pa.C.S. § 5514 (relating to pool selling and
12 bookmaking).

13 18 Pa.C.S. § 6307 (relating to misrepresentations of age
14 to secure liquor or malt or brewed beverages).

15 18 Pa.C.S. § 6308 (relating to purchase, consumption,
16 possession or transportation of liquor or malt or brewed
17 beverages).

18 18 Pa.C.S. § 6309 (relating to representing that minor is
19 of age).

20 18 Pa.C.S. § 6310.1 (relating to selling or furnishing
21 liquor or malt or brewed beverages to minors).

22 18 Pa.C.S. § 6310.3 (relating to carrying a false
23 identification card).

24 (3) Upon reasonable and probable cause, to search for and to
25 seize, without warrant or process, except in private homes, any
26 liquor, alcohol or malt or brewed beverages unlawfully
27 possessed, manufactured, sold, imported or transported and any
28 stills, equipment, materials, utensils, vehicles, boats,
29 vessels, animals, aircraft, or any of them, which are or have
30 been used in the unlawful manufacture, sale, importation or

1 transportation of the same. Such liquor, alcohol, malt or brewed
2 beverages, stills, equipment, materials, utensils, vehicles,
3 boats, vessels, animals or aircraft so seized shall be disposed
4 of as hereinafter provided.

5 (4) To investigate and issue citations for any violations of
6 this act or any laws of this Commonwealth relating to liquor,
7 alcohol or malt or brewed beverages, or any regulations of the
8 board adopted pursuant to such laws or any violation of any laws
9 of this Commonwealth or of the Federal Government, relating to
10 the payment of taxes on liquor, alcohol or malt or brewed
11 beverages by any licensee, his officers, servants, agents or
12 employes.

13 (5) To arrest any person who engages in the following
14 offenses when the said offenses are committed against the
15 officer/investigator, or any person accompanying and assisting
16 the officer/investigator, while the said officer/investigator is
17 performing assigned duties under and pursuant to this act and
18 any regulations promulgated under this act:

19 18 Pa.C.S. § 2701 (relating to simple assault).

20 18 Pa.C.S. § 2702 (relating to aggravated assault).

21 18 Pa.C.S. § 2705 (relating to recklessly endangering
22 another person).

23 18 Pa.C.S. § 2706 (relating to terroristic threats).

24 18 Pa.C.S. § 2709 (relating to harassment).

25 18 Pa.C.S. § 5104 (relating to resisting arrest or other
26 law enforcement).

27 18 Pa.C.S. § 5507 (relating to riot).

28 (6) To serve and execute warrants issued by the proper
29 authorities for offenses referred to in this subsection and to
30 serve subpoenas.

1 (7) To arrange for the administration of chemical tests of
2 breath, blood or urine, including preliminary breath tests, to
3 persons for the purpose of determining the alcoholic content of
4 blood or the presence of a controlled substance by qualified
5 personnel of a State or local police department or qualified
6 personnel of a clinical laboratory licensed and approved by the
7 Department of Health.

8 (b) Any equipment or appurtenance actually used in the
9 commission of the unlawful acts may be confiscated. The
10 confiscation shall not, in any manner, divest or impair the
11 rights or interest of any bona fide lienholder in the equipment
12 or appurtenance.

13 (c) The Pennsylvania State Police Commissioner shall assign
14 State Police Officers to such supervisory and other capacities
15 in the enforcement bureau as he deems necessary. All other
16 personnel of the enforcement bureau shall be civilians.

17 (d) The Office of Chief Counsel for the Pennsylvania State
18 Police shall represent the enforcement bureau in all enforcement
19 proceedings brought before the Office of Administrative Law
20 Judge or any other adjudicatory body.

21 (e) Nothing in this act shall be construed to change the
22 status of civilian enforcement agents for the purposes of the
23 act of July 23, 1970 (P.L.563, No.195), known as the "Public
24 Employe Relations Act," or cause civilian enforcement agents to
25 be considered policemen for the purposes of the act of June 24,
26 1968 (P.L.237, No.111), referred to as the Policemen and Firemen
27 Collective Bargaining Act.

28 SECTION 472. LOCAL OPTION.--(A) IN ANY MUNICIPALITY OR ANY
29 PART OF A MUNICIPALITY WHERE SUCH MUNICIPALITY IS SPLIT SO THAT
30 EACH PART THEREOF IS SEPARATED BY ANOTHER MUNICIPALITY, AN

<—

1 ELECTION MAY BE HELD, SUBJECT TO SUBSECTION (C), ON THE DATE OF
2 THE PRIMARY ELECTION IMMEDIATELY PRECEDING ANY MUNICIPAL
3 ELECTION, BUT NOT OFTENER THAN ONCE IN FOUR YEARS, TO DETERMINE
4 THE WILL OF THE ELECTORS WITH RESPECT TO THE GRANTING OF LIQUOR
5 LICENSES TO HOTELS, RESTAURANTS AND CLUBS, NOT OFTENER THAN ONCE
6 IN FOUR YEARS, TO DETERMINE THE WILL OF THE ELECTORS WITH
7 RESPECT TO THE GRANTING OF LIQUOR LICENSES TO PRIVATELY-OWNED
8 PRIVATE GOLF COURSES, NOT OFTENER THAN ONCE IN FOUR YEARS, TO
9 DETERMINE THE WILL OF THE ELECTORS WITH RESPECT TO THE GRANTING
10 OF LICENSES TO RETAIL DISPENSERS OF MALT AND BREWED BEVERAGES,
11 NOT OFTENER THAN ONCE IN FOUR YEARS, TO DETERMINE THE WILL OF
12 THE ELECTORS WITH RESPECT TO GRANTING OF LICENSES TO WHOLESALE
13 DISTRIBUTORS AND IMPORTING DISTRIBUTORS, NOT MORE THAN ONCE IN
14 TWO YEARS TO DETERMINE THE WILL OF THE ELECTORS WITH RESPECT TO
15 THE GRANTING OF CLUB LIQUOR LICENSES OR CLUB RETAIL DISPENSER
16 LICENSES TO INCORPORATED UNITS OF NATIONAL VETERANS'
17 ORGANIZATIONS, OR NOT MORE THAN ONCE IN FOUR YEARS, TO DETERMINE
18 THE WILL OF THE ELECTORS WITH RESPECT TO THE ESTABLISHMENT,
19 OPERATION AND MAINTENANCE BY THE BOARD OF PENNSYLVANIA LIQUOR
20 STORES, WITHIN THE LIMITS OF SUCH MUNICIPALITY OR PART OF A
21 SPLIT MUNICIPALITY, UNDER THE PROVISIONS OF THIS ACT: PROVIDED,
22 HOWEVER, WHERE AN ELECTION SHALL HAVE BEEN HELD AT THE PRIMARY
23 PRECEDING A MUNICIPAL ELECTION IN ANY YEAR, ANOTHER ELECTION MAY
24 BE HELD UNDER THE PROVISIONS OF THIS ACT AT THE PRIMARY
25 OCCURRING THE FOURTH YEAR AFTER SUCH PRIOR ELECTION: AND
26 PROVIDED FURTHER, THAT AN ELECTION ON THE QUESTION OF
27 ESTABLISHING AND OPERATING A STATE LIQUOR STORE SHALL BE
28 INITIATED ONLY IN THOSE MUNICIPALITIES, OR THAT PART OF A SPLIT
29 MUNICIPALITY THAT SHALL HAVE VOTED AGAINST THE GRANTING OF
30 LIQUOR LICENSES; AND THAT AN ELECTION ON THE QUESTION OF

1 GRANTING WHOLESALE DISTRIBUTOR AND IMPORTING DISTRIBUTOR
2 LICENSES SHALL BE INITIATED ONLY IN THOSE MUNICIPALITIES OR
3 PARTS OF SPLIT MUNICIPALITIES THAT SHALL HAVE AT A PREVIOUS
4 ELECTION VOTED AGAINST THE GRANTING OF DISPENSER'S LICENSES.
5 WHENEVER ELECTORS EQUAL TO AT LEAST TWENTY-FIVE PER CENTUM OF
6 THE HIGHEST VOTE CAST FOR ANY OFFICE IN THE MUNICIPALITY OR PART
7 OF A SPLIT MUNICIPALITY AT THE LAST PRECEDING GENERAL ELECTION
8 SHALL FILE A PETITION WITH THE COUNTY BOARD OF ELECTIONS OF THE
9 COUNTY FOR A REFERENDUM ON THE QUESTION OF GRANTING ANY OF SAID
10 CLASSES OF LICENSES OR THE ESTABLISHMENT OF PENNSYLVANIA LIQUOR
11 STORES, THE SAID COUNTY BOARD OF ELECTIONS SHALL CAUSE A
12 QUESTION TO BE PLACED ON THE BALLOTS OR ON THE VOTING MACHINE
13 BOARD AND SUBMITTED AT THE PRIMARY IMMEDIATELY PRECEDING THE
14 MUNICIPAL ELECTION. SEPARATE PETITIONS MUST BE FILED FOR EACH
15 QUESTION TO BE VOTED ON. SAID PROCEEDINGS SHALL BE IN THE MANNER
16 AND SUBJECT TO THE PROVISIONS OF THE ELECTION LAWS WHICH RELATE
17 TO THE SIGNING, FILING AND ADJUDICATION OF NOMINATION PETITIONS,
18 INsofar AS SUCH PROVISIONS ARE APPLICABLE.

19 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF LIQUOR
20 LICENSES, IT SHALL BE IN THE FOLLOWING FORM:

21 DO YOU FAVOR THE GRANTING OF LIQUOR LICENSES
22 FOR THE SALE OF LIQUOR IN..... YES
23 OF.....? NO

24 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF LIQUOR
25 LICENSES, FOR PRIVATELY-OWNED PRIVATE GOLF COURSES, IT SHALL BE
26 IN THE FOLLOWING FORM:

27 DO YOU FAVOR THE GRANTING OF LIQUOR LICENSES FOR
28 PRIVATELY-OWNED PRIVATE GOLF COURSES FOR THE SALE
29 OF LIQUOR IN.....BY..... YES
30 OF.....? NO

1 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF LICENSES
2 TO RETAIL DISPENSERS OF MALT AND BREWED BEVERAGES, IT SHALL BE
3 IN THE FOLLOWING FORM:

4 DO YOU FAVOR THE GRANTING OF MALT AND BREWED
5 BEVERAGE RETAIL DISPENSER LICENSES FOR
6 CONSUMPTION ON PREMISES WHERE SOLD IN THE..... YES
7 OF.....? NO

8 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF LICENSES
9 TO WHOLESALE DISTRIBUTORS OF MALT OR BREWED BEVERAGES AND
10 IMPORTING DISTRIBUTORS, IT SHALL BE IN THE FOLLOWING FORM:

11 DO YOU FAVOR THE GRANTING OF MALT AND BREWED
12 BEVERAGE WHOLESALE DISTRIBUTOR'S AND IMPORTING
13 DISTRIBUTOR'S LICENSES NOT FOR CONSUMPTION ON
14 PREMISES WHERE SOLD IN THE..... YES
15 OF.....? NO

16 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF CLUB
17 LIQUOR LICENSES TO INCORPORATED UNITS OF NATIONAL VETERANS'
18 ORGANIZATIONS, IT SHALL BE IN THE FOLLOWING FORM:

19 DO YOU FAVOR THE GRANTING OF CLUB LIQUOR LICENSES
20 TO INCORPORATED UNITS OF NATIONAL VETERANS' ORGANIZATIONS
21 IN THE..... YES
22 OF.....? NO

23 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF CLUB
24 RETAIL DISPENSER LICENSES TO INCORPORATED UNITS OF NATIONAL
25 VETERANS' ORGANIZATIONS, IT SHALL BE IN THE FOLLOWING FORM:

26 DO YOU FAVOR THE GRANTING OF CLUB RETAIL DISPENSER
27 LICENSES TO INCORPORATED UNITS OF NATIONAL VETERANS'
28 ORGANIZATIONS IN THE..... YES
29 OF.....? NO

30 WHEN THE QUESTION IS IN RESPECT TO THE ESTABLISHMENT,

1 OPERATION AND MAINTENANCE OF PENNSYLVANIA LIQUOR STORES IT SHALL
2 BE IN THE FOLLOWING FORM:

3 DO YOU FAVOR THE ESTABLISHMENT, OPERATION
4 AND MAINTENANCE OF PENNSYLVANIA LIQUOR
5 STORES IN THE..... YES
6 OF.....? NO

7 IN CASE OF A TIE VOTE, THE STATUS QUO SHALL OBTAIN. IF A
8 MAJORITY OF THE VOTING ELECTORS ON ANY SUCH QUESTION VOTE "YES,"
9 THEN LIQUOR LICENSES SHALL BE GRANTED BY THE BOARD TO HOTELS,
10 RESTAURANTS AND CLUBS, OR LIQUOR LICENSES SHALL BE GRANTED BY
11 THE BOARD TO PRIVATELY-OWNED PRIVATE GOLF COURSES, OR MALT AND
12 BREWED BEVERAGE RETAIL DISPENSER LICENSES OR WHOLESALE
13 DISTRIBUTOR'S AND IMPORTING DISTRIBUTOR'S LICENSE FOR THE SALE
14 OF MALT OR BREWED BEVERAGES SHALL BE GRANTED BY THE BOARD, OR
15 CLUB LIQUOR LICENSES OR CLUB RETAIL DISPENSER LICENSES SHALL BE
16 GRANTED BY THE BOARD TO INCORPORATED UNITS OF NATIONAL VETERANS'
17 ORGANIZATIONS, OR THE BOARD MAY ESTABLISH, OPERATE AND MAINTAIN
18 PENNSYLVANIA LIQUOR STORES, AS THE CASE MAY BE, IN SUCH
19 MUNICIPALITY OR PART OF A SPLIT MUNICIPALITY, AS PROVIDED BY
20 THIS ACT; BUT IF A MAJORITY OF THE ELECTORS VOTING ON ANY SUCH
21 QUESTION VOTE "NO," THEN THE BOARD SHALL HAVE NO POWER TO GRANT
22 OR TO RENEW UPON THEIR EXPIRATION ANY LICENSES OF THE CLASS SO
23 VOTED UPON IN SUCH MUNICIPALITY OR PART OF A SPLIT MUNICIPALITY;
24 OR IF THE NEGATIVE VOTE IS ON THE QUESTION IN RESPECT TO THE
25 ESTABLISHMENT, OPERATION AND MAINTENANCE OF PENNSYLVANIA LIQUOR
26 STORES, THE BOARD SHALL NOT OPEN AND OPERATE A PENNSYLVANIA
27 LIQUOR STORE IN SUCH MUNICIPALITY OR PART OF A SPLIT
28 MUNICIPALITY, NOR CONTINUE TO OPERATE A THEN EXISTING
29 PENNSYLVANIA LIQUOR STORE IN THE MUNICIPALITY OR PART OF A SPLIT
30 MUNICIPALITY FOR MORE THAN TWO YEARS THEREAFTER OR AFTER THE

1 EXPIRATION OF THE TERM OF THE LEASE ON THE PREMISES OCCUPIED BY
2 SUCH STORE, WHICHEVER PERIOD IS LESS, UNLESS AND UNTIL AT A
3 LATER ELECTION A MAJORITY OF THE VOTING ELECTORS VOTE "YES" ON
4 SUCH QUESTION.

5 (B) TO BE ELIGIBLE FOR THE LOCAL OPTION UNDER THIS SECTION,
6 THE INCORPORATED UNIT OF A NATIONAL VETERANS' ORGANIZATION MUST
7 HAVE BEEN INCORPORATED ON OR BEFORE A DATE TEN YEARS PRIOR TO
8 THE FILING OF ITS APPLICATION AFTER AUTHORIZATION UNDER LOCAL
9 OPTION. IN EACH MUNICIPALITY, LICENSES APPROVED UNDER THE LOCAL
10 OPTION FOR INCORPORATED UNITS OF NATIONAL VETERANS'
11 ORGANIZATIONS MAY NOT EXCEED FOUR.

12 (C) FOR THE FIRST YEAR THAT THE LOCAL OPTION IS AUTHORIZED
13 FOR THE INCORPORATED UNITS OF NATIONAL VETERANS' ORGANIZATIONS,
14 THE LOCAL OPTION ELECTION FOR THE INCORPORATED UNITS OF NATIONAL
15 VETERANS' ORGANIZATIONS MAY BE HELD AT THE PRIMARY ELECTION
16 PRECEDING ANY ELECTION.

17 ~~Section 2. The act is amended by adding a section to read:~~ <—

18 ~~Section 211.2. Enforcement Personnel in Cities of the First~~
19 ~~Class. Notwithstanding any provision of this act to the~~
20 ~~contrary, the Pennsylvania State Police Commissioner shall~~
21 ~~assign no less than forty liquor control enforcement agents to~~
22 ~~enforce this act and any regulations promulgated pursuant~~
23 ~~thereto in cities of the first class. The number of liquor~~
24 ~~enforcement agents in cities of the first class shall never be~~
25 ~~less than a number equal to twenty five percent (25%) of the~~
26 ~~total number of liquor control enforcement agents Statewide.~~

27 ~~Section 3. This act shall take effect as follows:~~

28 ~~(1) The addition of section 211.2 of the act shall take~~
29 ~~effect July 1, 1994.~~

30 ~~(2) The remainder of this act shall take effect in 60~~

1 ~~days.~~

2 ~~SECTION 2. THE ACT IS AMENDED BY ADDING A SECTION TO READ:~~ <—

3 ~~SECTION 472.6. ADDITIONAL LOCAL OPTION. IN ANY MUNICIPALITY~~
4 ~~THAT HAS PREVIOUSLY VOTED NOT TO PERMIT THE GRANTING OF LIQUOR~~
5 ~~LICENSES, AN ELECTION MAY BE HELD ON THE DATE OF THE PRIMARY~~
6 ~~ELECTION IMMEDIATELY PRECEDING ANY NOVEMBER OR GENERAL ELECTION,~~
7 ~~BUT NOT MORE OFTEN THAN ONCE EVERY YEAR, TO DETERMINE THE WILL~~
8 ~~OF THE ELECTORS WITH RESPECT TO THE GRANTING OF LIQUOR LICENSES~~
9 ~~TO INCORPORATED UNITS OF NATIONAL VETERANS' ORGANIZATIONS.~~
10 ~~WHENEVER ELECTORS EQUAL TO AT LEAST TWENTY FIVE PER CENTUM OF~~
11 ~~THE HIGHEST VOTE CAST FOR ANY OFFICE IN THE MUNICIPALITY AT THE~~
12 ~~LAST PRECEDING GENERAL ELECTION SHALL FILE A PETITION WITH THE~~
13 ~~COUNTY BOARD OF ELECTIONS OF THE COUNTY FOR A REFERENDUM ON THE~~
14 ~~QUESTION OF GRANTING ANY OF THE CLASSES OF LICENSES, THE COUNTY~~
15 ~~BOARD OF ELECTIONS SHALL CAUSE A QUESTION TO BE PLACED ON THE~~
16 ~~BALLOTS OR ON THE VOTING MACHINE BOARD AND SUBMITTED AT THE~~
17 ~~PRIMARY IMMEDIATELY PRECEDING THE NOVEMBER OR GENERAL ELECTION.~~
18 ~~THE PROCEEDINGS SHALL BE IN THE MANNER AND SUBJECT TO THE~~
19 ~~PROVISIONS OF THE ELECTION LAWS WHICH RELATE TO THE SIGNING,~~
20 ~~FILING AND ADJUDICATION OF NOMINATION PETITIONS, INSOFAR AS~~
21 ~~THESE PROVISIONS ARE APPLICABLE.~~

22 ~~SECTION 2-3~~ 2. SECTION 493(7) OF THE ACT IS AMENDED TO READ: <—

23 SECTION 493. UNLAWFUL ACTS RELATIVE TO LIQUOR, MALT AND
24 BREWED BEVERAGES AND LICENSEES.--THE TERM "LICENSEE," WHEN USED
25 IN THIS SECTION, SHALL MEAN THOSE PERSONS LICENSED UNDER THE
26 PROVISIONS OF ARTICLE IV, UNLESS THE CONTEXT CLEARLY INDICATES
27 OTHERWISE.

28 IT SHALL BE UNLAWFUL--

29 * * *

30 (7) ALCOHOLIC STRENGTH ON LABEL OF MALT OR BREWED BEVERAGES.

1 FOR ANY LICENSEE, OR HIS SERVANTS, AGENTS OR EMPLOYES, TO
2 TRANSPORT, SELL, DELIVER OR PURCHASE ANY MALT OR BREWED
3 BEVERAGES UPON WHICH THERE SHALL APPEAR A LABEL OR OTHER
4 INFORMATIVE DATA WHICH [IN ANY MANNER] REFERS TO THE ALCOHOLIC
5 CONTENTS OF THE MALT OR BREWED BEVERAGE[, OR WHICH REFERS IN ANY
6 MANNER TO THE ORIGINAL ALCOHOLIC STRENGTH, EXTRACT OR BALLING
7 PROOF FROM WHICH SUCH MALT OR BREWED BEVERAGE WAS PRODUCED.] IN
8 ANY TERMS OTHER THAN AS A PERCENTAGE OF ALCOHOL BY VOLUME. THIS
9 CLAUSE SHALL BE CONSTRUED TO PERMIT, BUT NOT TO REQUIRE, A
10 MANUFACTURER TO DESIGNATE UPON THE LABEL OR DESCRIPTIVE DATA THE
11 ALCOHOLIC CONTENT OF MALT OR BREWED BEVERAGES IN PERCENTAGE OF
12 ALCOHOL BY VOLUME. THIS CLAUSE SHALL NOT BE CONSTRUED TO
13 PROHIBIT A MANUFACTURER FROM DESIGNATING UPON THE LABEL OR
14 DESCRIPTIVE DATA THE ALCOHOLIC CONTENT OF MALT OR BREWED
15 BEVERAGES INTENDED FOR SHIPMENT INTO ANOTHER STATE OR TERRITORY,
16 WHEN THE LAWS OF SUCH STATE OR TERRITORY REQUIRE THAT THE
17 ALCOHOLIC CONTENT OF THE MALT OR BREWED BEVERAGE MUST BE STATED
18 UPON THE PACKAGE.

19 * * *

20 SECTION ~~3-4~~ 3. THIS ACT SHALL TAKE EFFECT ~~IN 60 DAYS.~~ AS
21 FOLLOWS:

22 (1) THE AMENDMENT OF SECTION 493(7) OF THE ACT SHALL
23 TAKE EFFECT IMMEDIATELY.

24 (2) THIS SECTION SHALL TAKE EFFECT IMMEDIATELY.

25 (3) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT IN 60
26 DAYS.

<—