

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 245 Session of  
1989

INTRODUCED BY GREENLEAF, SALVATORE, GREENWOOD AND LEWIS,  
JANUARY 23, 1989

REFERRED TO LAW AND JUSTICE, JANUARY 23, 1989

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 authorizing certain shipments of wine into this Commonwealth.

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 409.1. Shipment of Limited Quantities of Wine into  
24 This Commonwealth.--(a) Notwithstanding any other provision of  
25 law, any unlicensed adult person may apply to the board and be

1 issued a permit to receive a shipment of wine from another state  
2 of the United States. The shipment shall be made in accordance  
3 with rules adopted by the board, but the total shipments  
4 permitted in any calendar month to a person shall not be in  
5 excess of two and four-tenths gallons. A common carrier to whom  
6 the permit is presented is authorized to make delivery of the  
7 shipment to the person named in the permit. Delivery of a  
8 shipment pursuant to the permit shall not be deemed to  
9 constitute a sale in this Commonwealth.

10 (b) Notwithstanding any other provision of law, an  
11 individual or licensee in a state which affords Commonwealth  
12 licensees or individuals an equal reciprocal shipping privilege,  
13 may ship, for personal use and not for resale, not more than two  
14 cases of wine (no more than nine liters each case) per month to  
15 any adult resident in this Commonwealth. Delivery of a shipment  
16 pursuant to this subsection shall not be deemed to constitute a  
17 sale in this Commonwealth.

18 (c) The shipping container of any wine sent into or out of  
19 this Commonwealth under this section shall be clearly labeled to  
20 indicate that the package may not be delivered to a minor or to  
21 an intoxicated person.

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