

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1406 Session of
1991

INTRODUCED BY DERMODY, KOSINSKI, LAUGHLIN, TIGUE, CAWLEY,
JOHNSON, HAYDEN, STURLA, PESCI, VEON, NOYE, LINTON, MELIO,
McGEEHAN, BELARDI, PRESTON, KRUSZEWSKI, JAROLIN, PISTELLA AND
McCALL, MAY 15, 1991

REFERRED TO COMMITTEE ON LIQUOR CONTROL, MAY 15, 1991

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 further providing for enforcement.

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

20 Section 1. Section 211(a)(2) of the act of April 12, 1951
21 (P.L.90, No.21), known as the Liquor Code, reenacted and amended
22 June 29, 1987 (P.L.32, No.14), is amended to read:

23 Section 211. Enforcement.--(a) There is created within the
24 Pennsylvania State Police a Bureau of Liquor Control Enforcement

1 which shall be responsible for enforcing this act and any
2 regulations promulgated pursuant thereto. Officers and
3 investigators assigned to the bureau shall have the power and
4 their duty shall be:

5 * * *

6 (2) To arrest on view, except in private homes, without
7 warrant, any person actually engaged in the unlawful sale,
8 importation, manufacture or transportation or having unlawful
9 possession of liquor, alcohol or malt or brewed beverages
10 contrary to the provisions of this act or any other law of this
11 Commonwealth[.] or any person whom the officer or investigator,
12 while in the performance of his assigned duties under this act
13 and while acting pursuant to regulations issued by the
14 Pennsylvania State Police, observes to be in violation of any of
15 the following provisions:

16 18 Pa.C.S. § 2701 (relating to simple assault).

17 18 Pa.C.S. § 2702 (relating to aggravated assault).

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

20 18 Pa.C.S. § 2706 (relating to terroristic threats).

21 18 Pa.C.S. § 2709 (relating to harassment).

22 18 Pa.C.S. § 3304 (relating to criminal mischief).

23 18 Pa.C.S. § 4903 (relating to false swearing).

24 18 Pa.C.S. § 4904 (relating to unsworn falsification to
25 authorities).

26 18 Pa.C.S. § 4906 (relating to false report to law
27 enforcement authorities).

28 18 Pa.C.S. § 5101 (relating to obstructing administration
29 of law or other governmental function).

30 18 Pa.C.S. § 5104 (relating to resisting arrest or other

1 law enforcement).

2 18 Pa.C.S. § 5503 (relating to disorderly conduct).

3 18 Pa.C.S. § 5505 (relating to public drunkenness).

4 * * *

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