

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2105 Session of
2003

INTRODUCED BY MARSICO, CIVERA, DENLINGER, FABRIZIO, HARHAI,
HENNESSEY, O'NEILL, SAINATO, TIGUE, WILT AND YOUNGBLOOD,
OCTOBER 16, 2003

REFERRED TO COMMITTEE ON LIQUOR CONTROL, OCTOBER 16, 2003

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 unlawful acts relative to liquor, malt
18 and brewed beverages and licensees.

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

21 Section 1. Section 493(24) of the act of April 12, 1951
22 (P.L.90, No.21), known as the Liquor Code, reenacted and amended
23 June 29, 1987 (P.L.32, No.14), is amended to read:

24 Section 493. Unlawful Acts Relative to Liquor, Malt and
25 Brewed Beverages and Licensees.--The term "licensee," when used

1 in this section, shall mean those persons licensed under the
2 provisions of Article IV, unless the context clearly indicates
3 otherwise.

4 It shall be unlawful--

5 * * *

6 (24) Things of Value Offered as Inducement. For any licensee
7 under the provisions of this article, or the board or any
8 manufacturer, or any employe or agent of a manufacturer,
9 licensee or of the board, to offer to give anything of value or
10 to solicit or receive anything of value as a premium for the
11 return of caps, stoppers, corks, stamps or labels taken from any
12 bottle, case, barrel or package containing liquor or malt or
13 brewed beverage, or to offer or give or solicit or receive
14 anything of value as a premium or present to induce directly the
15 purchase of liquor or malt or brewed beverage, or for any
16 licensee, manufacturer or other person to offer or give to trade
17 or consumer buyers any prize, premium, gift or other inducement
18 to purchase liquor or malt or brewed beverages, except
19 advertising novelties of nominal value which the board shall
20 define. This section shall not prevent any manufacturer or any
21 agent of a manufacturer from offering only on licensed premises
22 and honoring coupons which offer monetary rebates on purchases
23 of wines and spirits through State Liquor Stores and purchases
24 of malt or brewed beverages in accordance with conditions or
25 regulations established by the board. Further, no manufacturer
26 or any agent of a manufacturer shall honor any coupons without
27 proof of purchase [in the form of a sales slip or receipt
28 attached to the coupons]. This section shall not apply to the
29 return of any monies specifically deposited for the return of
30 the original container to the owners thereof.

1 * * *

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