

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1936 Session of
2009

INTRODUCED BY CLYMER, BAKER, BRIGGS, BROWN, DENLINGER, FLECK,
GEIST, GINGRICH, HENNESSEY, KAUFFMAN, MOUL, MURT, PHILLIPS,
PICKETT, QUINN, RAPP, K. SMITH, STERN, TRUE, WATERS AND
YOUNGBLOOD, AUGUST 17, 2009

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, AUGUST 17, 2009

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 the sale of certain containers of malt
18 or brewed beverages by distributors and importing
19 distributors.

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

22 Section 1. Section 441(b) of the act of April 12, 1951
23 (P.L.90, No.21), known as the Liquor Code, reenacted and amended
24 June 29, 1987 (P.L.32, No.14) and amended December 9, 2002
25 (P.L.1653, No.212), is amended to read:

Section 441. Distributors' and Importing Distributors'
Restrictions on Sales, Storage, Etc.--* * *

(b) (1) No distributor or importing distributor shall sell any malt or brewed beverages in quantities of less than a case or original containers containing one hundred twenty-eight fluid ounces or more which may be sold separately: Provided, That no malt or brewed beverages sold or delivered shall be consumed upon the premises of the distributor or importing distributor, or in any place provided for such purpose by such distributor or importing distributor. Notwithstanding any other provision of this section or act, malt or brewed beverages which are part of a tasting conducted pursuant to the board's regulations may be consumed on licensed premises.

(2) No distributor or importing distributor shall sell malt or brewed beverages in a container containing one hundred twenty-eight fluid ounces or more without first requiring the purchaser to execute a numbered form providing for the purchaser's name and address and such other information as the board may prescribe. Following execution of the numbered form, the distributor or importing distributor shall affix to the container an identification sticker that corresponds to the number on the form completed by the purchaser. Records required under this clause shall be maintained in accordance with the rules and regulations of the board.

* * *

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