

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1196 Session of
2015

INTRODUCED BY PETRI, MAY 13, 2015

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,
JUNE 22, 2015

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," IN <--
 17 PRELIMINARY PROVISIONS, FURTHER PROVIDING FOR DEFINITIONS;
 18 AND, in licenses and regulations and liquor, alcohol and malt
 19 and brewed beverages, further providing for malt and brewed
 20 beverages manufacturers', distributors' and importing
 21 distributors' licenses, FOR LOCAL OPTION AND FOR UNLAWFUL <--
 22 ACTS RELATIVE TO LIQUOR, ALCOHOL AND LIQUOR LICENSEES.

23 The General Assembly of the Commonwealth of Pennsylvania

24 hereby enacts as follows:

25 ~~Section 1. Section 431(d)(2) of the act of April 12, 1951~~ <--
 26 ~~(P.L.90, No.21), known as the Liquor Code, reenacted and amended~~
 27 ~~June 29, 1987 (P.L.32, No.14) and amended December 20, 1996~~
 28 ~~(P.L.1513, No.196), is amended to read:~~

1 SECTION 1. THE DEFINITIONS OF "ALCOHOL," "DENATURED ALCOHOL" <--
2 AND "LIQUOR" IN SECTION 102 OF THE ACT OF APRIL 12, 1951
3 (P.L.90, NO.21), KNOWN AS THE LIQUOR CODE, REENACTED AND AMENDED
4 JUNE 29, 1987 (P.L.32, NO.14), ARE AMENDED AND THE SECTION IS
5 AMENDED BY ADDING A DEFINITION TO READ:

6 SECTION 102. DEFINITIONS.--THE FOLLOWING WORDS OR PHRASES,
7 UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE, SHALL HAVE THE
8 MEANINGS ASCRIBED TO THEM IN THIS SECTION:

9 "ALCOHOL" SHALL MEAN ETHYL ALCOHOL OF ANY DEGREE OF PROOF
10 ORIGINALLY PRODUCED BY THE DISTILLATION OF ANY FERMENTED LIQUID,
11 WHETHER RECTIFIED OR DILUTED WITH OR WITHOUT WATER, WHATEVER MAY
12 BE THE ORIGIN THEREOF, AND SHALL INCLUDE POWDERED OR CRYSTALLINE
13 ALCOHOL AND SYNTHETIC ETHYL ALCOHOL, BUT SHALL NOT MEAN OR
14 INCLUDE ETHYL ALCOHOL, WHETHER OR NOT DILUTED, THAT HAS BEEN
15 DENATURED OR OTHERWISE RENDERED UNFIT FOR BEVERAGE PURPOSES.

16 * * *

17 "DENATURED ALCOHOL" SHALL MEAN AND INCLUDE ALL ALCOHOL OR ANY
18 COMPOUND THEREOF WHICH BY THE ADMIXTURE OF SUCH DENATURING
19 MATERIAL OR MATERIALS IS RENDERED UNFIT FOR USE AS A BEVERAGE.
20 THE TERM SHALL NOT INCLUDE POWDERED OR CRYSTALLINE ALCOHOL.

21 * * *

22 "LIQUOR" SHALL MEAN AND INCLUDE ANY ALCOHOLIC, SPIRITUOUS,
23 VINOUS, FERMENTED OR OTHER ALCOHOLIC BEVERAGE, POWDERED OR
24 CRYSTALLINE ALCOHOL, OR COMBINATION OF LIQUORS AND MIXED LIQUOR
25 A PART OF WHICH IS SPIRITUOUS, VINOUS, FERMENTED OR OTHERWISE
26 ALCOHOLIC, INCLUDING ALL DRINKS OR DRINKABLE LIQUIDS,
27 PREPARATIONS OR MIXTURES, AND REUSED, RECOVERED OR REDISTILLED
28 DENATURED ALCOHOL USABLE OR TAXABLE FOR BEVERAGE PURPOSES WHICH
29 CONTAIN MORE THAN ONE-HALF OF ONE PER CENT OF ALCOHOL BY VOLUME,
30 EXCEPT PURE ETHYL ALCOHOL AND MALT OR BREWED BEVERAGES.

1 * * *

2 "POWDERED OR CRYSTALLINE ALCOHOL" SHALL MEAN A POWDERED OR
3 CRYSTALLINE PRODUCT PREPARED OR SOLD FOR EITHER DIRECT USE OR
4 RECONSTITUTION FOR HUMAN CONSUMPTION THAT CONTAINS ANY AMOUNT OF
5 ALCOHOL WHEN HYDROLYZED.

6 * * *

7 SECTION 2. SECTION 431(D) (2) OF THE ACT, AMENDED DECEMBER
8 20, 1996 (P.L.1513, NO.196), IS AMENDED TO READ:

9 Section 431. Malt and Brewed Beverages Manufacturers',
10 Distributors' and Importing Distributors' Licenses.--* * *

11 (d) * * *

12 (2) After January 1, 1980, no manufacturer shall enter into
13 any agreement with more than one distributor or importing
14 distributor for the purpose of establishing more than one
15 agreement for designated brand or brands of malt or brewed
16 beverages in any one territory. Each franchise territory which
17 is granted by a manufacturer shall be geographically contiguous.
18 All importing distributors shall maintain sufficient records to
19 evidence compliance of this section. With regard to any
20 territorial distribution authority granted to an importing
21 distributor by a manufacturer of malt or brewed beverages after
22 January 1, 1996, the records shall establish that each and every
23 case of a brand of malt or brewed beverages for which the
24 importing distributor is assigned was sold, resold, stored,
25 delivered or transported by the importing distributor, either
26 from a point or to a point with the assigned geographically
27 contiguous territory, to any person or persons, whether such
28 person or persons are licensed by this act or not licensed by
29 this act. As used in this paragraph, the term "geographically
30 contiguous area" shall include two distinct areas which are

1 separated by no more than five miles at the closest point.

2 * * *

3 SECTION 3. SECTION 472 (A) OF THE ACT, AMENDED FEBRUARY 21, <--
4 2002 (P.L.103, NO.10), IS AMENDED TO READ:

5 SECTION 472. LOCAL OPTION.-- (A) IN ANY MUNICIPALITY OR ANY
6 PART OF A MUNICIPALITY WHERE SUCH MUNICIPALITY IS SPLIT SO THAT
7 EACH PART THEREOF IS SEPARATED BY ANOTHER MUNICIPALITY, AN
8 ELECTION MAY BE HELD, SUBJECT TO SUBSECTION (C), [ON THE DATE OF
9 THE PRIMARY ELECTION IMMEDIATELY PRECEDING ANY MUNICIPAL
10 ELECTION, BUT] NOT OFTENER THAN ONCE IN FOUR YEARS, TO DETERMINE
11 THE WILL OF THE ELECTORS WITH RESPECT TO THE GRANTING OF LIQUOR
12 LICENSES TO HOTELS, RESTAURANTS, RESORT FACILITIES AND CLUBS,
13 NOT OFTENER THAN ONCE IN FOUR YEARS, TO DETERMINE THE WILL OF
14 THE ELECTORS WITH RESPECT TO THE GRANTING OF LIQUOR LICENSES TO
15 PUBLIC VENUES, TO PERFORMING ARTS FACILITIES, TO CONTINUING CARE
16 RETIREMENT COMMUNITIES, TO HOTELS LOCATED ON PROPERTY OWNED BY
17 AN ACCREDITED COLLEGE OR UNIVERSITY, TO PRIVATELY-OWNED PRIVATE
18 GOLF COURSES OR TO PRIVATELY-OWNED PUBLIC GOLF COURSES, NOT
19 OFTENER THAN ONCE IN FOUR YEARS, TO DETERMINE THE WILL OF THE
20 ELECTORS WITH RESPECT TO THE GRANTING OF LICENSES TO RETAIL
21 DISPENSERS OF MALT AND BREWED BEVERAGES, NOT OFTENER THAN ONCE
22 IN FOUR YEARS, TO DETERMINE THE WILL OF THE ELECTORS WITH
23 RESPECT TO GRANTING OF LICENSES TO WHOLESALE DISTRIBUTORS AND
24 IMPORTING DISTRIBUTORS, NOT MORE THAN ONCE IN TWO YEARS, TO
25 DETERMINE THE WILL OF THE ELECTORS WITH RESPECT TO THE GRANTING
26 OF CLUB LIQUOR LICENSES OR CLUB RETAIL DISPENSER LICENSES TO
27 INCORPORATED UNITS OF NATIONAL VETERANS' ORGANIZATIONS, NOT
28 OFTENER THAN ONCE IN TWO YEARS TO DETERMINE THE WILL OF THE
29 ELECTORS WITH RESPECT TO THE GRANTING OF SPECIAL OCCASION
30 PERMITS TO QUALIFIED ORGANIZATIONS, OR NOT MORE THAN ONCE IN

1 FOUR YEARS, TO DETERMINE THE WILL OF THE ELECTORS WITH RESPECT
2 TO THE ESTABLISHMENT, OPERATION AND MAINTENANCE BY THE BOARD OF
3 PENNSYLVANIA LIQUOR STORES, WITHIN THE LIMITS OF SUCH
4 MUNICIPALITY OR PART OF A SPLIT MUNICIPALITY, UNDER THE
5 PROVISIONS OF THIS ACT: PROVIDED, [HOWEVER, WHERE AN ELECTION
6 SHALL HAVE BEEN HELD AT THE PRIMARY PRECEDING A MUNICIPAL
7 ELECTION IN ANY YEAR, ANOTHER ELECTION MAY BE HELD UNDER THE
8 PROVISIONS OF THIS ACT AT THE PRIMARY OCCURRING THE FOURTH YEAR
9 AFTER SUCH PRIOR ELECTION: AND PROVIDED FURTHER,] THAT AN
10 ELECTION ON THE QUESTION OF ESTABLISHING AND OPERATING A STATE
11 LIQUOR STORE SHALL BE INITIATED ONLY IN THOSE MUNICIPALITIES, OR
12 THAT PART OF A SPLIT MUNICIPALITY THAT SHALL HAVE VOTED AGAINST
13 THE GRANTING OF LIQUOR LICENSES; AND THAT AN ELECTION ON THE
14 QUESTION OF GRANTING WHOLESALE DISTRIBUTOR AND IMPORTING
15 DISTRIBUTOR LICENSES SHALL BE INITIATED ONLY IN THOSE
16 MUNICIPALITIES OR PARTS OF SPLIT MUNICIPALITIES THAT SHALL HAVE
17 AT A PREVIOUS ELECTION VOTED AGAINST THE GRANTING OF DISPENSER'S
18 LICENSES. WHENEVER ELECTORS EQUAL TO AT LEAST TWENTY-FIVE PER
19 CENTUM OF THE HIGHEST VOTE CAST FOR ANY OFFICE IN THE
20 MUNICIPALITY OR PART OF A SPLIT MUNICIPALITY AT THE LAST
21 PRECEDING GENERAL ELECTION SHALL FILE A PETITION WITH THE COUNTY
22 BOARD OF ELECTIONS OF THE COUNTY FOR A REFERENDUM ON THE
23 QUESTION OF GRANTING ANY OF SAID CLASSES OF LICENSES OR THE
24 ESTABLISHMENT OF PENNSYLVANIA LIQUOR STORES, THE SAID COUNTY
25 BOARD OF ELECTIONS SHALL CAUSE A QUESTION TO BE PLACED ON THE
26 BALLOTS OR ON THE VOTING MACHINE BOARD AND SUBMITTED AT [THE
27 PRIMARY IMMEDIATELY PRECEDING THE MUNICIPAL] ANY ELECTION.
28 SEPARATE PETITIONS MUST BE FILED FOR EACH QUESTION TO BE VOTED
29 ON. SAID PROCEEDINGS SHALL BE IN THE MANNER AND SUBJECT TO THE
30 PROVISIONS OF THE ELECTION LAWS WHICH RELATE TO THE SIGNING,

1 FILING AND ADJUDICATION OF NOMINATION PETITIONS, INSOFAR AS SUCH
2 PROVISIONS ARE APPLICABLE.

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

5 DO YOU FAVOR THE GRANTING OF LIQUOR LICENSES FOR THE
6 SALE OF LIQUOR IN..... YES
7 OF.....? NO

8 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF LIQUOR
9 LICENSES TO RESORT FACILITIES IN THOSE MUNICIPALITIES THAT DO
10 NOT ALREADY ALLOW THE RETAIL SALE OF LIQUOR, IT SHALL BE IN THE
11 FOLLOWING FORM:

12 DO YOU FAVOR THE GRANTING OF LIQUOR LICENSES TO RESORT
13 FACILITIES FOR THE SALE OF LIQUOR IN THE..... YES
14 OF.....? NO

15 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF RESTAURANT
16 LIQUOR LICENSES FOR USE AT PUBLIC VENUES IN THOSE MUNICIPALITIES
17 THAT DO NOT ALREADY ALLOW THE RETAIL SALE OF LIQUOR, IT SHALL BE
18 IN THE FOLLOWING FORM:

19 DO YOU FAVOR THE GRANTING OF LIQUOR LICENSES TO PUBLIC
20 VENUES FOR THE SALE OF LIQUOR IN THE..... YES
21 OF.....? NO

22 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF RESTAURANT
23 LIQUOR LICENSES FOR USE AT PERFORMING ARTS FACILITIES IN THOSE
24 MUNICIPALITIES THAT DO NOT ALREADY ALLOW THE RETAIL SALE OF
25 ALCOHOL, IT SHALL BE IN THE FOLLOWING FORM:

26 DO YOU FAVOR THE GRANTING OF LIQUOR LICENSES TO
27 PERFORMING ARTS FACILITIES FOR THE SALE OF LIQUOR IN
28 THE..... YES
29 OF.....? NO

30 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF LIQUOR

1 LICENSES FOR HOTELS LOCATED ON PROPERTY OWNED BY AN ACCREDITED
2 COLLEGE OR UNIVERSITY IN THOSE MUNICIPALITIES THAT DO NOT
3 ALREADY ALLOW THE GRANTING OF LIQUOR LICENSES, IT SHALL BE IN
4 THE FOLLOWING FORM:

5 DO YOU FAVOR THE GRANTING OF LIQUOR LICENSES TO HOTELS
6 ON PROPERTY OWNED BY AN ACCREDITED COLLEGE OR
7 UNIVERSITY IN
8 THE..... YES
9 OF.....? NO

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

13 DO YOU FAVOR THE GRANTING OF LIQUOR LICENSES FOR
14 PRIVATELY-OWNED PRIVATE GOLF COURSES FOR THE SALE OF
15 LIQUOR IN.....BY..... YES
16 OF.....? NO

17 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF LIQUOR
18 LICENSES, FOR PRIVATELY-OWNED PUBLIC GOLF COURSES, IT SHALL BE
19 IN THE FOLLOWING FORM:

20 DO YOU FAVOR THE GRANTING OF LIQUOR LICENSES FOR
21 PRIVATELY-OWNED PUBLIC GOLF COURSES FOR THE SALE OF
22 LIQUOR IN.....BY..... YES
23 OF.....? NO

24 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF LIQUOR
25 LICENSES TO CONTINUING CARE RETIREMENT COMMUNITIES IN THOSE
26 MUNICIPALITIES THAT HAVE NOT ALREADY APPROVED THE GRANTING OF
27 LIQUOR LICENSES, IT SHALL BE IN THE FOLLOWING FORM:

28 DO YOU FAVOR THE GRANTING OF LIQUOR LICENSES FOR
29 CONTINUING CARE RETIREMENT COMMUNITIES
30 IN.....BY..... YES

1 OF.....? NO

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

5 DO YOU FAVOR THE GRANTING OF MALT AND BREWED BEVERAGE
6 RETAIL DISPENSER LICENSES FOR CONSUMPTION ON PREMISES
7 WHERE SOLD IN THE..... YES

8 OF.....? NO

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

12 DO YOU FAVOR THE GRANTING OF MALT AND BREWED BEVERAGE
13 WHOLESALE DISTRIBUTOR'S AND IMPORTING DISTRIBUTOR'S
14 LICENSES NOT FOR CONSUMPTION ON PREMISES WHERE SOLD IN

15 THE..... YES

16 OF.....? NO

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

20 DO YOU FAVOR THE GRANTING OF CLUB LIQUOR LICENSES TO
21 INCORPORATED UNITS OF NATIONAL VETERANS' ORGANIZATIONS
22 IN THE..... YES

23 OF.....? NO

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

27 DO YOU FAVOR THE GRANTING OF CLUB RETAIL DISPENSER
28 LICENSES TO INCORPORATED UNITS OF NATIONAL VETERANS'
29 ORGANIZATIONS IN THE..... YES

30 OF.....? NO

1 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF SPECIAL
2 OCCASION PERMITS ALLOWING THE SALE OF LIQUOR BY QUALIFIED
3 ORGANIZATIONS IN MUNICIPALITIES THAT DO NOT ALREADY ALLOW THE
4 RETAIL SALE OF LIQUOR, IT SHALL BE IN THE FOLLOWING FORM:

5 DO YOU FAVOR THE GRANTING OF SPECIAL OCCASION PERMITS
6 TO ALLOW THE SALE OF LIQUOR BY QUALIFIED ORGANIZATIONS
7 IN
8 THE..... YES
9 OF.....? NO

10 WHEN THE QUESTION IS IN RESPECT TO THE GRANTING OF SPECIAL
11 OCCASION PERMITS ALLOWING THE SALE OF MALT OR BREWED BEVERAGES
12 ONLY BY QUALIFIED ORGANIZATIONS IN MUNICIPALITIES THAT DO NOT
13 ALREADY ALLOW THE RETAIL SALE OF MALT OR BREWED BEVERAGES, IT
14 SHALL BE IN THE FOLLOWING FORM:

15 DO YOU FAVOR THE GRANTING OF SPECIAL OCCASION PERMITS
16 TO ALLOW THE SALE OF MALT OR BREWED BEVERAGES ONLY BY
17 QUALIFIED ORGANIZATIONS IN THE..... YES
18 OF.....? NO

19 WHEN THE QUESTION IS IN RESPECT TO THE ESTABLISHMENT,
20 OPERATION AND MAINTENANCE OF PENNSYLVANIA LIQUOR STORES IT SHALL
21 BE IN THE FOLLOWING FORM:

22 DO YOU FAVOR THE ESTABLISHMENT, OPERATION AND
23 MAINTENANCE OF PENNSYLVANIA LIQUOR STORES IN
24 THE..... YES
25 OF.....? NO

26 IN CASE OF A TIE VOTE, THE STATUS QUO SHALL OBTAIN. IF A
27 MAJORITY OF THE VOTING ELECTORS ON ANY SUCH QUESTION VOTE "YES,"
28 THEN LIQUOR LICENSES SHALL BE GRANTED BY THE BOARD TO HOTELS,
29 RESTAURANTS, RESORT FACILITIES AND CLUBS, OR LIQUOR LICENSES
30 SHALL BE GRANTED BY THE BOARD TO PUBLIC VENUES, TO PERFORMING

1 ARTS FACILITIES, TO CONTINUING CARE RETIREMENT COMMUNITIES, TO
2 HOTELS LOCATED ON PROPERTY OWNED BY AN ACCREDITED COLLEGE OR
3 UNIVERSITY, TO PRIVATELY-OWNED PRIVATE GOLF COURSES OR TO
4 PRIVATELY-OWNED PUBLIC GOLF COURSES, OR MALT AND BREWED BEVERAGE
5 RETAIL DISPENSER LICENSES OR WHOLESALE DISTRIBUTOR'S AND
6 IMPORTING DISTRIBUTOR'S LICENSE FOR THE SALE OF MALT OR BREWED
7 BEVERAGES SHALL BE GRANTED BY THE BOARD, OR CLUB LIQUOR LICENSES
8 OR CLUB RETAIL DISPENSER LICENSES SHALL BE GRANTED BY THE BOARD
9 TO INCORPORATED UNITS OF NATIONAL VETERANS' ORGANIZATIONS, OR
10 SPECIAL OCCASION PERMITS MAY BE ISSUED TO QUALIFIED
11 ORGANIZATIONS, OR THE BOARD MAY ESTABLISH, OPERATE AND MAINTAIN
12 PENNSYLVANIA LIQUOR STORES, AS THE CASE MAY BE, IN SUCH
13 MUNICIPALITY OR PART OF A SPLIT MUNICIPALITY, AS PROVIDED BY
14 THIS ACT; BUT IF A MAJORITY OF THE ELECTORS VOTING ON ANY SUCH
15 QUESTION VOTE "NO," THEN THE BOARD SHALL HAVE NO POWER TO GRANT
16 OR TO RENEW UPON THEIR EXPIRATION ANY LICENSES OF THE CLASS SO
17 VOTED UPON IN SUCH MUNICIPALITY OR PART OF A SPLIT MUNICIPALITY;
18 OR IF THE NEGATIVE VOTE IS ON THE QUESTION IN RESPECT TO THE
19 ESTABLISHMENT, OPERATION AND MAINTENANCE OF PENNSYLVANIA LIQUOR
20 STORES, THE BOARD SHALL NOT OPEN AND OPERATE A PENNSYLVANIA
21 LIQUOR STORE IN SUCH MUNICIPALITY OR PART OF A SPLIT
22 MUNICIPALITY, NOR CONTINUE TO OPERATE A THEN EXISTING
23 PENNSYLVANIA LIQUOR STORE IN THE MUNICIPALITY OR PART OF A SPLIT
24 MUNICIPALITY FOR MORE THAN TWO YEARS THEREAFTER OR AFTER THE
25 EXPIRATION OF THE TERM OF THE LEASE ON THE PREMISES OCCUPIED BY
26 SUCH STORE, WHICHEVER PERIOD IS LESS, UNLESS AND UNTIL AT A
27 LATER ELECTION A MAJORITY OF THE VOTING ELECTORS VOTE "YES" ON
28 SUCH QUESTION.

29 * * *

30 SECTION 4. SECTION 491 OF THE ACT IS AMENDED BY ADDING A

1 PARAGRAPH TO READ:

2 SECTION 491. UNLAWFUL ACTS RELATIVE TO LIQUOR, ALCOHOL AND
3 LIQUOR LICENSEES.--

4 IT SHALL BE UNLAWFUL--

5 * * *

6 (15) POSSESSION, PURCHASE, SALE OR USE OF POWDERED OR
7 CRYSTALLINE ALCOHOL. FOR ANY PERSON TO POSSESS, PURCHASE, SELL,
8 OFFER TO SELL OR USE POWDERED OR CRYSTALLINE ALCOHOL. THIS
9 PARAGRAPH SHALL NOT APPLY TO COMMERCIAL OR INDUSTRIAL USE
10 SPECIFICALLY APPROVED BY STATE LAW, A HOSPITAL THAT OPERATES
11 PRIMARILY FOR THE PURPOSE OF CONDUCTING SCIENTIFIC RESEARCH, A
12 STATE INSTITUTION CONDUCTING BONA FIDE RESEARCH, A PRIVATE
13 COLLEGE OR UNIVERSITY CONDUCTING BONA FIDE RESEARCH OR A
14 PHARMACEUTICAL COMPANY CONDUCTING BONA FIDE RESEARCH.

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

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