

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," and  
17 further providing for confiscation of identification cards  
18

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

21 Section 1. The act is amended by adding a section to read:

22 Section 495.1. Confiscation of identification cards. - (a) In  
23 any instance in which a person presents or offers an  
24 identification card to a licensee, a licensee's employee or a  
25 State Liquor Store employee for which a reasonable suspicion  
26 exists that such identification card is false, fraudulent or not

1 actually such person's, a licensee or employee shall use a  
2 transaction scan device to verify the authenticity of the  
3 identification card. An identification card shall not be  
4 confiscated unless a transaction scan device is utilized by the  
5 licensee, licensee's employee or State Liquor Store employee. A  
6 successful scan using a transaction scan device shall preclude  
7 the confiscation of an identification card.

8 (b) Any and all confiscated identification cards shall be  
9 delivered to the local law enforcement agency that has  
10 jurisdiction over the licensed premises within twenty-four  
11 hours.

12 (c) A law enforcement agency that has taken possession of an  
13 identification card shall determine the validity of the  
14 identification card with forty-eight hours after receipt. If  
15 the identification card is deemed valid, it shall be returned to  
16 the holder, in person or by first class mail.

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