

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2538 Session of
1976

INTRODUCED BY CAPUTO AND CESSAR, JUNE 21, 1976

REFERRED TO COMMITTEE ON LIQUOR CONTROL, JUNE 21, 1976

AN ACT

1 Amending the act of April 12, 1951 (P.L.90, No.21), entitled "An
2 act relating to alcoholic liquors, alcohol and malt and
3 brewed beverages; amending, revising, consolidating and
4 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 arrest powers of enforcement
18 officers and investigators.

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

21 Section 1. Section 209, act of April 12, 1951 (P.L.90,
22 No.21), known as the "Liquor Code," amended July 31, 1968
23 (P.L.799, No.243), is amended to read:

24 Section 209. Officers and Investigators of the Board to be
25 Peace Officers; Powers.--Such employes of the board as are
26 designated "enforcement officers" or "investigators" are hereby

1 declared to be peace officers and are hereby given police power
2 and authority throughout the Commonwealth to arrest on view,
3 except in private homes, without warrant, any person actually
4 engaged in the unlawful sale, importation, manufacture or
5 transportation, or having unlawful possession of liquor, alcohol
6 or malt or brewed beverages, contrary to the provisions of this
7 act or any other law of this Commonwealth or for any violations
8 of Title 18 (Crimes and Offenses) of the Pennsylvania
9 Consolidated Statutes committed in the presence of such officers
10 and on licensed premises. Such officers and investigators shall
11 have power and authority, upon reasonable and probable cause, to
12 search for and to seize without warrant or process, except in
13 private homes, any liquor, alcohol and malt or brewed beverages
14 unlawfully possessed, manufactured, sold, imported or
15 transported, and any stills, equipment, materials, utensils,
16 vehicles, boats, vessels, animals, aircraft, or any of them,
17 which are or have been used in the unlawful manufacture, sale,
18 importation or transportation of the same. Such liquor, alcohol,
19 malt or brewed beverages, stills, equipment, materials,
20 utensils, vehicles, boats, vessels, animals or aircraft so
21 seized shall be disposed of as hereinafter provided.

22 Enforcement officers or investigators may be retired upon
23 reaching age sixty-five.

24 Section 2. This act shall take effect immediately.