

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 649

Session of
1977

INTRODUCED BY WHITE, CALTAGIRONE, RHODES AND SWEET,
MARCH 16, 1977

REFERRED TO COMMITTEE ON LIQUOR CONTROL, MARCH 16, 1977

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 permitting retail dispensers to sell bottles of wine not in
18 stock at liquor stores.

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

21 Section 1. Section 442, act of April 12, 1951 (P.L.90,
22 No.21), known as the "Liquor Code," is amended by adding a
23 subsection to read:

24 Section 442. Retail Dispensers' Restrictions on Purchases
25 and Sales.--* * *

26 (d) Notwithstanding any other provision of this act, a

1 retail dispenser may, at the specific written request of a
2 customer, sell a bottle of wine to the customer in a bottle or
3 similar original container holding a quart or less, if the
4 particular wine is not available in or through the Liquor Stores
5 except in case lots. The retail dispenser may upon notice to the
6 board purchase and receive less than case lots of wine for the
7 purposes of this subsection from sources other than the Liquor
8 Stores. Upon the retail sale of the wine, the retail dispenser
9 shall collect the tax imposed thereon, provide the customer with
10 a receipt and within thirty days remit the tax and a copy of the
11 receipt to the board.

12 Section 2. This act shall take effect immediately.