

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 178

Session of  
1981

INTRODUCED BY CALTAGIRONE, COCHRAN AND LEHR, JANUARY 26, 1981

REFERRED TO COMMITTEE ON LIQUOR CONTROL, JANUARY 26, 1981

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 exempting collectors of miniature bottles from certain  
18 provisions of the act.

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

21 Section 1. Clause (1) of section 491, act of April 12, 1951  
22 (P.L.90, No.21), known as the "Liquor Code," is amended to read:

23 Section 491. Unlawful Acts Relative to Liquor, Alcohol and  
24 Liquor Licensees.--

25 It shall be unlawful--

1 (1) Sales of Liquor. For any person, by himself or by an  
2 employe or agent, to expose or keep for sale, or directly or  
3 indirectly, or upon any pretense or upon any device, to sell or  
4 offer to sell any liquor within this Commonwealth, except in  
5 accordance with the provisions of this act and the regulations  
6 of the board. This clause shall not be construed to prohibit  
7 hospitals, physicians, dentists or veterinarians who are  
8 licensed and registered under the laws of this Commonwealth from  
9 administering liquor in the regular course of their professional  
10 work and taking into account the cost of the liquor so  
11 administered in making charges for their professional service,  
12 or a pharmacist duly licensed and registered under the laws of  
13 this Commonwealth from dispensing liquor on a prescription of a  
14 duly licensed physician, dentist or veterinarian, or selling  
15 medical preparations containing alcohol, or using liquor in  
16 compounding prescriptions or medicines and making a charge for  
17 the liquor used in such medicines, or a manufacturing pharmacist  
18 or chemist from using liquor in manufacturing preparations unfit  
19 for beverage purposes and making a charge for the liquors so  
20 used. All such liquors so administered or sold by hospitals,  
21 physicians, dentists, veterinarians, pharmacists or chemists  
22 shall conform to the Pharmacopoeia of the United States, the  
23 National Formulary, or the American Homeopathic Pharmacopoeia.  
24 This clause, nor any other clause in this section, shall not be  
25 construed to prohibit collectors of miniature bottles (with or  
26 without the contents) who are registered with the board as  
27 collectors, on a form to be supplied by the board, from buying,  
28 selling, trading or bartering miniature bottles from, to or with  
29 other registered collectors within the Commonwealth or any  
30 person outside the Commonwealth or from possessing miniature

1 bottles without the official seal of the board affixed thereto.

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