

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 719 Session of 2011

INTRODUCED BY V. BROWN, CALTAGIRONE, CARROLL, JOSEPHS, KORTZ,
MANN, MCGEEHAN, MILLARD AND PAYTON, FEBRUARY 16, 2011

REFERRED TO COMMITTEE ON LIQUOR CONTROL, FEBRUARY 16, 2011

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,"
17 further providing for definitions and for unlawful acts
18 relative to malt or brewed beverages and licensees.

19 The General Assembly of the Commonwealth of Pennsylvania

20 hereby enacts as follows:

21 Section 1. Section 102 of the act of April 12, 1951 (P.L.90,
22 No.21), known as the Liquor Code, reenacted and amended June 29,
23 1987 (P.L.32, No.14), is amended by adding a definition to read:

24 Section 102. Definitions.--The following words or phrases,
25 unless the context clearly indicates otherwise, shall have the
26 meanings ascribed to them in this section:

1 * * *

2 "Caffeinated or stimulant-enhanced malt beverage" shall mean
3 a beverage which includes caffeine or other stimulant,
4 including, but not limited to, guarana, ginseng and taurine, and
5 contains at least one-half of one per centum alcohol by volume.

6 * * *

7 Section 2. Section 492 of the act is amended by adding a
8 clause to read:

9 Section 492. Unlawful Acts Relative to Malt or Brewed
10 Beverages and Licensees.--

11 It shall be unlawful--

12 * * *

13 (22) Caffeinated or Stimulant-enhanced Malt Beverages. No
14 person shall import into this Commonwealth or distribute, sell
15 or offer to sell in this Commonwealth any caffeinated or
16 stimulant-enhanced malt beverage.

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