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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2069 Session of  
2014

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INTRODUCED BY MASSER, HEFFLEY, O'NEILL, WATSON, MILLARD,  
PICKETT, JAMES, TURZAI, COHEN, KAVULICH, EVERETT AND KILLION,  
MARCH 10, 2014

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REFERRED TO COMMITTEE ON LIQUOR CONTROL, MARCH 10, 2014

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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 unlawful acts relative to liquor, malt  
18 and brewed beverages and licensees.

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

21 Section 1. Section 493(24) of the act of April 12, 1951  
22 (P.L.90, No.21), known as the Liquor Code, reenacted and amended  
23 June 29, 1987 (P.L.32, No.14) and amended November 29, 2006  
24 (P.L.1421, No.155), is amended and the clause is amended by  
25 adding a subclause to read:

1 Section 493. Unlawful Acts Relative to Liquor, Malt and  
2 Brewed Beverages and Licensees.--The term "licensee," when used  
3 in this section, shall mean those persons licensed under the  
4 provisions of Article IV, unless the context clearly indicates  
5 otherwise.

6 It shall be unlawful--

7 \* \* \*

8 (24) (i) Things of Value Offered as Inducement. Except as  
9 provided in subclause (ii) and subclause (iii), for any licensee  
10 under the provisions of this article, or the board or any  
11 manufacturer, or any employe or agent of a manufacturer,  
12 licensee or of the board, to offer to give anything of value or  
13 to solicit or receive anything of value as a premium for the  
14 return of caps, stoppers, corks, stamps or labels taken from any  
15 bottle, case, barrel or package containing liquor or malt or  
16 brewed beverage, or to offer or give or solicit or receive  
17 anything of value as a premium or present to induce directly the  
18 purchase of liquor or malt or brewed beverage, or for any  
19 licensee, manufacturer or other person to offer or give to trade  
20 or consumer buyers any prize, premium, gift or other inducement  
21 to purchase liquor or malt or brewed beverages, except  
22 advertising novelties of nominal value which the board shall  
23 define. This section shall not prevent any manufacturer or any  
24 agent of a manufacturer from offering and honoring coupons which  
25 offer monetary rebates on purchases of wines and spirits through  
26 State Liquor Stores or purchases of malt or brewed beverages  
27 through distributors and importing distributors in accordance  
28 with conditions or regulations established by the board. The  
29 board may redeem coupons offered by a manufacturer or an agent  
30 of a manufacturer at the time of purchase. Coupons offered by a

1 manufacturer or an agent of a manufacturer shall not be redeemed  
2 without proof of purchase. This section shall not apply to the  
3 return of any monies specifically deposited for the return of  
4 the original container to the owners thereof.

5 (ii) Notwithstanding subclause (i) or any other provision of  
6 law, a holder of a restaurant license that is also approved to  
7 hold a slot machine license or a conditional slot machine  
8 license under 4 Pa.C.S. Part II (relating to gaming) may give  
9 liquor and malt or brewed beverages free of charge to any person  
10 actively engaged in playing a slot machine.

11 (iii) Notwithstanding subclause (i) or any other provision  
12 of law or regulation, a holder of a license under provisions of  
13 this clause may offer discounts of food or malt or brewed  
14 beverages and disproportionate serving amounts that act as a  
15 discount to patrons who are part of a bona fide club or group  
16 program offered by the licensee to promote its business or  
17 products in a commercially reasonable manner.

18 \* \* \*

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