

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1196 Session of 2015

INTRODUCED BY PETRI, MAY 13, 2015

REFERRED TO COMMITTEE ON LIQUOR CONTROL, MAY 13, 2015

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," in
 17 licenses and regulations and liquor, alcohol and malt and
 18 brewed beverages, further providing for malt and brewed
 19 beverages manufacturers', distributors' and importing
 20 distributors' licenses.

21 The General Assembly of the Commonwealth of Pennsylvania
 22 hereby enacts as follows:

23 Section 1. Section 431(d) (2) of the act of April 12, 1951
 24 (P.L.90, No.21), known as the Liquor Code, reenacted and amended
 25 June 29, 1987 (P.L.32, No.14) and amended December 20, 1996
 26 (P.L.1513, No.196), is amended to read:

27 Section 431. Malt and Brewed Beverages Manufacturers',

1 Distributors' and Importing Distributors' Licenses.--* * *

2 (d) * * *

3 (2) After January 1, 1980, no manufacturer shall enter into
4 any agreement with more than one distributor or importing
5 distributor for the purpose of establishing more than one
6 agreement for designated brand or brands of malt or brewed
7 beverages in any one territory. Each franchise territory which
8 is granted by a manufacturer shall be geographically contiguous.
9 All importing distributors shall maintain sufficient records to
10 evidence compliance of this section. With regard to any
11 territorial distribution authority granted to an importing
12 distributor by a manufacturer of malt or brewed beverages after
13 January 1, 1996, the records shall establish that each and every
14 case of a brand of malt or brewed beverages for which the
15 importing distributor is assigned was sold, resold, stored,
16 delivered or transported by the importing distributor, either
17 from a point or to a point with the assigned geographically
18 contiguous territory, to any person or persons, whether such
19 person or persons are licensed by this act or not licensed by
20 this act. As used in this paragraph, the term "geographically
21 contiguous area" shall include two district areas which are
22 separated by no more than five miles at the closest point.

23 * * *

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