

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILLNo. **122** Session of
2015INTRODUCED BY GREENLEAF, TARTAGLIONE AND VULAKOVICH,
JANUARY 14, 2015

REFERRED TO LAW AND JUSTICE, JANUARY 14, 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, further providing for the sale of
18 certain containers of malt or brewed beverages by
19 distributors and importing distributors.

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

22 Section 1. Section 441(b) and (i) of the act of April 12,
23 1951 (P.L.90, No.21), known as the Liquor Code, reenacted and
24 amended June 29, 1987 (P.L.32, No.14) and amended or added
25 December 9, 2002 (P.L.1653, No.212) and December 22, 2011
26 (P.L.530, No.113), is amended to read:

1 Section 441. Distributors' and Importing Distributors'
2 Restrictions on Sales, Storage, Etc.--* * *

3 (b) (1) No distributor or importing distributor shall sell
4 any malt or brewed beverages in quantities of less than a case
5 or original containers containing one hundred twenty-eight fluid
6 ounces or more which may be sold separately: Provided, That no
7 malt or brewed beverages sold or delivered shall be consumed
8 upon the premises of the distributor or importing distributor,
9 or in any place provided for such purpose by such distributor or
10 importing distributor. Notwithstanding any other provision of
11 this section or act, malt or brewed beverages which are part of
12 a tasting conducted pursuant to the board's regulations may be
13 consumed on licensed premises.

14 (2) No distributor or importing distributor shall sell malt
15 or brewed beverages in a container containing one hundred
16 twenty-eight fluid ounces or more without first requiring the
17 purchaser to execute a numbered form providing for the
18 purchaser's name and address and such other information as the
19 board may prescribe. Following execution of the numbered form,
20 the distributor or importing distributor shall affix to the
21 container an identification tag that corresponds to the number
22 on the form completed by the purchaser. Records required under
23 this clause shall be maintained in accordance with the rules and
24 regulations of the board. The removal of an identification tag
25 in violation of this clause and the rules and regulations of the
26 board shall be a summary offense. This clause shall not apply to
27 the sale of a container by an importing distributor or a
28 distributor to another importing distributor or distributor.

29 * * *

30 [(i) Notwithstanding any other provision to the contrary,

1 when making a sale of malt or brewed beverages to a private
2 individual, no distributor or importing distributor may be
3 required to collect the name, address or any other identifying
4 information of the private individual for the purpose of keeping
5 a record of the quantity of cases or volume of malt or brewed
6 beverages purchased.]

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