

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 58 Session of 2017

INTRODUCED BY GREENLEAF, VULAKOVICH AND SCHWANK,
JANUARY 12, 2017

REFERRED TO LAW AND JUSTICE, JANUARY 12, 2017

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 the sale of certain
 19 containers of malt or brewed beverages by distributors and
 20 importing distributors.

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

23 Section 1. Section 441(b) and (i) of the act of April 12,
 24 1951 (P.L.90, No.21), known as the Liquor Code, are amended to
 25 read:

26 Section 441. Distributors' and Importing Distributors'
 27 Restrictions on Sales, Storage, Etc.--* * *

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

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

27 * * *

28 [(i) Notwithstanding any other provision to the contrary,
29 when making a sale of malt or brewed beverages to a private
30 individual, no distributor or importing distributor may be

1 required to collect the name, address or any other identifying
2 information of the private individual for the purpose of keeping
3 a record of the quantity of cases or volume of malt or brewed
4 beverages purchased.]

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