

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1297 Session of 2021

INTRODUCED BY MASSER, DRISCOLL, T. DAVIS, MILLARD, ROWE,
HEFFLEY, JOZWIAK AND KEEFER, APRIL 27, 2021

REFERRED TO COMMITTEE ON LIQUOR CONTROL, APRIL 27, 2021

AN ACT

1 Amending the act of April 12, 1951 (P.L.90, No.21), entitled "An
2 act relating to alcoholic liquors, alcohol and malt and
3 brewed beverages; amending, revising, consolidating and
4 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 wine expanded permits
19 and for prepared beverages and mixed drinks for off-premises
20 consumption during disaster emergency.

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

23 Section 1. Section 415(a) (8) of the act of April 12, 1951
24 (P.L.90, No.21), known as the Liquor Code, is amended to read:

25 Section 415. Wine Expanded Permits.--(a) * * *

26 (8) [A] Unless presented with a valid armed forces of the

27 United States identification card, a wine expanded permit holder

1 shall utilize a transaction scan device to verify the age of an
2 individual who appears to be under thirty-five years of age
3 [before making a sale of wine] at the point of sale of wine or
4 at the point of delivery of wine. A wine expanded permit holder
5 may not sell or share data from the use of a transaction scan
6 device, provided that the licensee may use the data to show the
7 enforcement bureau of the board that the licensee is in
8 compliance with this act. As used in this paragraph, the term
9 "transaction scan device" means a device capable of deciphering,
10 in an electronically readable format, the information encoded on
11 the magnetic strip or bar code of an identification card under
12 section 495(a).

13 * * *

14 Section 2. Section 417(a) (5) of the act, added May 21, 2020
15 (P.L.149, No.21), is amended to read:

16 Section 417. Prepared Beverages and Mixed Drinks for Off-
17 Premises Consumption During Disaster Emergency.--(a) The
18 following shall apply:

19 * * *

20 (5) Within sixty (60) days of the effective date of this
21 section, unless presented with a valid armed forces of the
22 United States identification card, a licensee selling prepared
23 beverages and mixed drinks for off-premises consumption shall
24 begin utilizing a transaction scan device to verify the age of
25 an individual who appears to be under thirty-five (35) years of
26 age [before making a sale of prepared beverages and mixed
27 drinks] at the point of sale of prepared beverages and mixed
28 drinks or at the point of delivery of prepared beverages and
29 mixed drinks for off-premises consumption. A licensee may not
30 sell or share consumers' personal data from the use of a

1 transaction scan device, provided that the licensee may share
2 the data with the enforcement bureau of the board as evidence
3 that the licensee is in compliance with this paragraph.

4 * * *

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