
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1298 Session of
2021

INTRODUCED BY MASSER, JONES, MALONEY, MILLARD, DRISCOLL,
R. BROWN, KEEFER, JAMES, MOUL, HERSHEY, WHEELAND AND ROWE,
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 Pennsylvania liquor stores, further providing for sales by
18 Pennsylvania liquor stores; and abrogating a regulation.

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

21 Section 1. Section 305(b) of the act of April 12, 1951
22 (P.L.90, No.21), known as the Liquor Code, is amended to read:

23 Section 305. Sales by Pennsylvania Liquor Stores.--* * *

24 (b) Every Pennsylvania Liquor Store shall sell liquors at
25 wholesale to hotels, restaurants, clubs, and railroad, pullman

1 and steamship companies licensed under this act; and, under the
2 regulations of the board, to pharmacists duly licensed and
3 registered under the laws of the Commonwealth, and to
4 manufacturing pharmacists, and to reputable hospitals approved
5 by the board, or chemists. Sales to licensees shall be made at a
6 price that includes a discount of ten per centum from the retail
7 price; except that special order sales to licensees authorized
8 in subsection (a) shall not be subject to the ten per centum
9 discount. The board may sell to registered pharmacists only such
10 liquors as conform to the Pharmacopoeia of the United States,
11 the National Formulary, or the American Homeopathic
12 Pharmacopoeia. The board may sell at special prices under the
13 regulations of the board, to United States Armed Forces
14 facilities which are located on United States Armed Forces
15 installations and are conducted pursuant to the authority and
16 regulations of the United States Armed Forces. All other sales
17 by such stores shall be at retail, except that incentives, such
18 as coupons or discounts on certain products, may be offered to
19 unlicensed customers of the board as provided under sections
20 207(m) and 493(24)(ii)(B). A person entitled to purchase liquor
21 at wholesale prices may purchase the liquor at any Pennsylvania
22 Liquor Store upon tendering cash, check or credit card for the
23 full amount of the purchase. For this purpose, the board shall
24 issue a discount card to each licensee identifying such licensee
25 as a person authorized to purchase liquor at wholesale prices.
26 Such discount card shall be retained by the licensee. The board
27 may contract through the Commonwealth bidding process for
28 delivery to wholesale licensees at the expense of the licensee
29 receiving the delivery. The board may not impose a minimum
30 retail cost for an order to be purchased at wholesale under this

1 subsection.

2 * * *

3 Section 2. The regulation of the Liquor Control Board at 40
4 Pa. Code § 11.5 (relating to issuance of wholesale liquor
5 purchase permit cards) is abrogated insofar as it is
6 inconsistent with the amendment of section 305(b) of the act.

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