
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 102 Session of
2013

INTRODUCED BY ALLOWAY, SCARNATI, FERLO, WHITE, RAFFERTY, YAW,
TEPLITZ, YUDICHAK, SOLOBAY AND MENSCH, MARCH 26, 2013

REFERRED TO LAW AND JUSTICE, MARCH 26, 2013

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,"
17 further providing for general powers of board.

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

20 Section 1. Section 207(b) of the act of April 12, 1951
21 (P.L.90, No.21), known as the Liquor Code, reenacted and amended
22 June 29, 1987 (P.L.32, No.14), is amended to read:

23 Section 207. General Powers of Board.--Under this act, the
24 board shall have the power and its duty shall be:

25 * * *

1 (b) To control the manufacture, possession, sale,
2 consumption, importation, use, storage, transportation and
3 delivery of liquor, alcohol and malt or brewed beverages in
4 accordance with the provisions of this act, and to fix the
5 wholesale and retail prices at which liquors and alcohol shall
6 be sold at Pennsylvania Liquor Stores. Prices shall be
7 [proportional with prices paid by the board to its suppliers and
8 shall reflect any advantage obtained through volume purchases by
9 the board. The board may establish a preferential price
10 structure for wines produced within this Commonwealth for the
11 promotion of such wines, as long as the price structure is
12 uniform within each class of wine purchased] as established by
13 the board. The board shall require each Pennsylvania
14 manufacturer and each nonresident manufacturer of liquors, other
15 than wine, selling such liquors to the board, which are not
16 manufactured in this Commonwealth, to make application for and
17 be granted a permit by the board before such liquors not
18 manufactured in this Commonwealth shall be purchased from such
19 manufacturer. Each such manufacturer shall pay for such permit a
20 fee which, in the case of a manufacturer of this Commonwealth,
21 shall be equal to that required to be paid, if any, by a
22 manufacturer or wholesaler of the state, territory or country of
23 origin of the liquors, for selling liquors manufactured in
24 Pennsylvania, and in the case of a nonresident manufacturer,
25 shall be equal to that required to be paid, if any, in such
26 state, territory or country by Pennsylvania manufacturers doing
27 business in such state, territory or country. In the event that
28 any such manufacturer shall, in the opinion of the board, sell
29 or attempt to sell liquors to the board through another person
30 for the purpose of evading this provision relating to permits,

1 the board shall require such person, before purchasing liquors
2 from him or it, to take out a permit and pay the same fee as
3 hereinbefore required to be paid by such manufacturer. All
4 permit fees so collected shall be paid into the State Stores
5 Fund. The board shall not purchase any alcohol or liquor
6 fermented, distilled, rectified, compounded or bottled in any
7 state, territory or country, the laws of which result in
8 prohibiting the importation therein of alcohol or liquor,
9 fermented, distilled, rectified, compounded or bottled in
10 Pennsylvania.

11 * * *

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