

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**HOUSE BILL**  
**No. 1389** Session of  
1985

INTRODUCED BY GRUPPO, SEMMEL, ARGALL, PUNT, D. W. SNYDER, BOOK  
AND McVERRY, JUNE 10, 1985

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 10, 1985

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, providing for  
3 participation by certain persons in drug and alcohol  
4 counseling programs in lieu of sentence.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Title 42 of the Pennsylvania Consolidated  
8 Statutes is amended by adding a section to read:

9 § 1517. Alcohol and drug program.

10 (a) General rule.--Where a person under 21 years of age is  
11 charged with a violation of 18 Pa.C.S. § 6308 (relating to  
12 purchase, consumption, possession or transportation of  
13 intoxicating beverages) or 75 Pa.C.S. § 3715 (relating to  
14 restriction on alcoholic beverages), and has not previously been  
15 convicted of that offense, the district justice after  
16 substantiating that the offense occurred, but prior to  
17 pronouncing guilt, shall offer to suspend the proceedings upon  
18 the condition that the person agree to participate in and

1 successfully complete a court-approved alcohol or drug or  
2 alcohol and drug education and counseling program, a provision  
3 of which shall include payment by the person of costs and a  
4 reasonable charge for the administration of the program.

5 (b) Successful completion of program.--Upon successful  
6 completion of the program, the district justice shall dismiss  
7 the charges and relieve the person of the obligation to pay a  
8 fine.

9 (c) Failure to complete program.--If the person fails to  
10 complete the program or violates any condition of the program  
11 without good cause, the district justice shall proceed to a  
12 finding of guilt and to further disposition of the case as  
13 provided by law, including the imposition of the maximum fine.

14 (d) Definition.--As used in this section the term "court-  
15 approved alcohol or drug or alcohol and drug education and  
16 counseling program" means a drug and alcohol program which meets  
17 the following minimum requirements:

18 (1) Is no less than 15 hours in duration.

19 (2) Limits group size to 12 participants.

20 (3) Requires attendance at all sessions.

21 (4) Has received approval from the court of common pleas  
22 of the judicial district in which the office of the district  
23 justice is located.

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