

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 197 Session of
2007

INTRODUCED BY BAKER, BELFANTI, CALTAGIRONE, COX, CREIGHTON,
DONATUCCI, J. EVANS, GILLESPIE, GINGRICH, HESS, HICKERNELL,
M. KELLER, W. KELLER, MCILHATTAN, O'NEILL, PAYNE, PHILLIPS,
RAPP, RAYMOND, READSHAW, REICHLEY, SAYLOR, SCAVELLO, SOLOBAY,
SWANGER, TRUE, WATSON, YOUNGBLOOD AND PETRI, FEBRUARY 5, 2007

REFERRED TO COMMITTEE ON LIQUOR CONTROL, FEBRUARY 5, 2007

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further prohibiting selling or
3 furnishing liquor or malt or brewed beverages to minors.

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

6 Section 1. Section 6310.1 of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 6310.1. Selling or furnishing liquor or malt or brewed
9 beverages to minors.

10 (a) Offense defined.--Except as provided in subsection (b),
11 a person commits a misdemeanor of the [third] first degree if he
12 intentionally and knowingly sells or intentionally and knowingly
13 furnishes, or purchases with the intent to sell or furnish, any
14 liquor or malt or brewed beverages to a person who is less than
15 21 years of age.

16 (b) Exceptions.--The provisions of this section shall not
17 apply to any religious service or ceremony which may be

1 conducted in a private home or a place of worship where the
2 amount of wine served does not exceed the amount reasonably,
3 customarily and traditionally required as an integral part of
4 the service or ceremony.

5 (c) Minimum penalty.--In addition to any other penalty
6 imposed pursuant to this title or other statute, a person who is
7 convicted of violating subsection (a) shall be sentenced to pay
8 a fine of not less than [\$1,000] \$2,500 for the first violation
9 and a fine of [\$2,500] \$5,000 for each subsequent violation.

10 There shall be no authority in any court to impose on an
11 offender any lesser sentence than the minimum sentence mandated
12 by this subsection. No court shall have the authority to suspend
13 any sentence as defined in this section. Nothing in this section
14 shall prevent the sentencing court from imposing a sentence
15 greater than the minimum sentence mandated in this subsection.
16 In no case shall the sentence exceed the maximum sentence
17 prescribed by law.

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