

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 942 Session of 2011

INTRODUCED BY CORMAN, DINNIMAN, ERICKSON, TOMLINSON, VANCE,  
TARTAGLIONE, BREWSTER AND FONTANA, APRIL 28, 2011

REFERRED TO JUDICIARY, APRIL 28, 2011

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, further providing for purchase,  
3 consumption, possession or transportation of liquor or malt  
4 or brewed beverages.

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

7 Section 1. Section 6308(a) and (b) of Title 18 of the  
8 Pennsylvania Consolidated Statutes are amended to read:

9 § 6308. Purchase, consumption, possession or transportation of  
10 liquor or malt or brewed beverages.

11 (a) Offense defined.--A person commits [a summary] an  
12 offense if he, being less than 21 years of age, attempts to  
13 purchase, purchases, consumes, possesses or knowingly and  
14 intentionally transports any liquor or malt or brewed beverages,  
15 as defined in section 6310.6 (relating to definitions). For the  
16 purposes of this section, it shall not be a defense that the  
17 liquor or malt or brewed beverage was consumed in a jurisdiction  
18 other than the jurisdiction where the citation for underage  
19 drinking was issued.

(b) Penalty and grading.--

(1) In addition to the penalty imposed pursuant to section 6310.4 (relating to restriction of operating privileges), a person convicted of violating subsection (a) may be sentenced to pay a fine of not more than \$500 for the second and each subsequent violation.

(2) Grading for a violation of subsection (a) is as follows:

(i) Except as set forth in subparagraph (ii), the offense is graded as a summary offense.

(ii) If a person violates subsection (a) after being sentenced twice for a violation of subsection (a), the offense is graded as a misdemeanor of the third degree.

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Section 2. The amendment of 18 Pa.C.S. § 6308(a) and (b) shall apply to offenses committed on or after the effective date of this section.

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