

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 943 Session of  
2011INTRODUCED BY CORMAN, DINNIMAN, ERICKSON, D. WHITE, VANCE,  
TARTAGLIONE, FONTANA AND BREWSTER, APRIL 28, 2011AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF  
REPRESENTATIVES, AS AMENDED, SEPTEMBER 25, 2012

## AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, in financial matters,  
3 imposing an alcohol offense prevention fee in certain  
4 municipalities.

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 § 3576. Alcohol offense prevention fee.

10 (a) Establishment.--A fee in the amount of \$100 shall be  
11 imposed for each conviction of an offense specified in  
12 subsection (b). The fee shall be in addition to any other fee or  
13 court cost authorized under this title or other law.

14 (b) Offenses subject to fee.--A person who commits, in an  
15 eligible municipality, a violation of any of the following  
16 offenses shall, upon conviction, be ordered to pay the fee  
17 specified in subsection (a):

18 (1) The following provisions of Title 18:

1           Section 5505 (relating to public drunkenness and  
2           similar misconduct).

3           Section 6307 (relating to misrepresentation of age to  
4           secure liquor or malt or brewed beverages).

5           Section 6308 (relating to purchase, consumption,  
6           possession or transportation of liquor or malt or brewed  
7           beverages).

8           Section 6309 (relating to representing that minor is  
9           of age).

10          Section 6310 (relating to inducement of minors to buy  
11          liquor or malt or brewed beverages).

12          Section 6310.1 (relating to selling or furnishing  
13          liquor or malt or brewed beverages to minors).

14          Section 6310.2 (relating to manufacture or sale of  
15          false identification card).

16          Section 6310.3 (relating to carrying a false  
17          identification card).

18          Section 6310.7 (relating to selling or furnishing  
19          nonalcoholic beverages to persons under 21 years of age).

20          (2) The following provisions of Title 30:

21          Section 5502 (relating to operating watercraft under  
22          influence of alcohol or controlled substance).

23          Section 5502.1 (relating to homicide by watercraft  
24          while operating under influence).

25          (3) The provisions of 34 Pa.C.S. § 2501(a) (relating to  
26          hunting or furtaking prohibited while under influence of  
27          alcohol or controlled substance).

28          (4) The following provisions of Title 75:

29          Section 3718 (relating to minor prohibited from  
30          operating with any alcohol in system).

1           Section 3735 (relating to homicide by vehicle while  
2           driving under influence).

3           Section 3735.1 (relating to aggravated assault by  
4           vehicle while driving under the influence).

5           Section 3802 (relating to driving under influence of  
6           alcohol or controlled substance).

7       (c) Use of fee.--The fee imposed under this section shall be  
8       payable to the eligible municipality in which the violation  
9       occurred and shall be expended only on the alcohol offense ←  
10       prevention unit PROGRAMS DIRECTED AT ENFORCEMENT AND PREVENTION ←  
11       OF THE ALCOHOL-RELATED OFFENSES IDENTIFIED IN SUBSECTION (B)  
12       WHICH ARE operated by law enforcement officers of the eligible  
13       municipality or on behalf of the eligible municipality for ←  
14       enforcing violations of 18 Pa.C.S. (relating to crimes and  
15       offenses).

16       (d) Definitions.--As used in this section, the following  
17       words and phrases shall have the meanings given to them in this  
18       subsection unless the context clearly indicates otherwise:

19       "Eligible municipality." A municipality: ←

20           (1) in which an institution of higher education is  
21           wholly or partially situated; and

22           (2) that has an alcohol offense prevention unit which is  
23           operated by law enforcement officers of the municipality or  
24           on behalf of the municipality IN WHICH AN INSTITUTION OF ←  
25           HIGHER EDUCATION IS WHOLLY OR PARTIALLY SITUATED.

26       "Institution of higher education." Includes any of the  
27       following:

28           (1) A community college operating under Article XIX-A of  
29           the act of March 10, 1949 (P.L.30, No.14), known as the  
30           Public School Code of 1949.

1       (2) A university within the State System of Higher  
2       Education.

3       (3) The Pennsylvania State University.

4       (4) The University of Pittsburgh.

5       (5) Temple University.

6       (6) Lincoln University.

7       (7) Any other institution that is designated as "State-  
8       related" by the Commonwealth.

9       (8) Any accredited private or independent college or  
10       university.

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