

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 871 Session of 2009

INTRODUCED BY O'NEILL, BELFANTI, CARROLL, DENLINGER, GEIST,
GRUCELA, HENNESSEY, KORTZ, LONGIETTI, MUSTIO, REICHLEY,
SCAVELLO, VULAKOVICH, CREIGHTON AND GINGRICH, MARCH 11, 2009

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 11, 2009

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 of Title 18 of the Pennsylvania
8 Consolidated Statutes is amended by adding a subsection to read:

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

11 * * *

12 (f) Exception for person seeking medical attention for
13 another.--A person shall be immune from prosecution for
14 consumption under subsection (a) if he can establish the
15 following:

16 (1) The sole means for law enforcement officers to
17 become aware of the person's violation of subsection (a) is
18 because the person placed a 911 call and reported that

1 another person was in need of medical assistance due to
2 alcohol consumption.

3 (2) The person was the first person to make a 911 call
4 and report that a person needed medical assistance due to
5 alcohol consumption.

6 (3) The person provided his own name to the 911
7 operator.

8 (4) The person remained with the person needing medical
9 assistance until emergency health care providers arrived and
10 the need for his presence had ended.

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