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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 871 Session of  
2009

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

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REFERRED TO COMMITTEE ON JUDICIARY, MARCH 11, 2009

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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.