

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 458

Session of
1987

INTRODUCED BY FOX, JAROLIN, JOHNSON, VROON, NAHILL, TRELLO,
ARTY, SCHEETZ, KOSINSKI, REINARD, BARLEY, PUNT, JADLOWIEC,
J. TAYLOR, GRUPPO, WASS, CIVERA, MRKONIC, PERZEL, SAURMAN,
CHADWICK, GEIST, E. Z. TAYLOR, BOOK, LaGROTTA, DEAL, BUNT,
KENNEY, BIRMELIN, RAYMOND AND ACOSTA, FEBRUARY 25, 1987

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 25, 1987

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, providing for the offense of selling
3 or 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. Title 18 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section 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 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 and to undergo imprisonment for a
9 period of not less than three months for the first violation,
10 and a fine of not less than \$2,500 and imprisonment for a period
11 of not less than six months for each subsequent violation. There
12 shall be no authority in any court to impose on an offender any
13 lesser sentence than the minimum sentence mandated by this
14 subsection for a second or subsequent violation. No court shall
15 have the authority to suspend any sentence as defined in this
16 act for a second or subsequent violation. Nothing in this
17 section shall prevent the sentencing court from imposing a
18 sentence greater than the minimum sentence mandated in this
19 subsection, but in no case shall the sentence exceed the maximum
20 sentence prescribed by law.

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