

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 941 Session of
2011

INTRODUCED BY CORMAN, DINNIMAN, ERICKSON, TOMLINSON, VANCE,
TARTAGLIONE, FONTANA AND BREWSTER, 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 public
3 drunkenness and similar misconduct and for purchase,
4 consumption, possession or transportation of liquor or malt
5 or brewed beverages.

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

8 Section 1. Sections 5505 and 6308(b) of Title 18 of the
9 Pennsylvania Consolidated Statutes are amended to read:

10 § 5505. Public drunkenness and similar misconduct.

11 A person is guilty of a summary offense if he appears in any
12 public place manifestly under the influence of alcohol or a
13 controlled substance, as defined in the act of April 14, 1972
14 (P.L.233, No.64), known as The Controlled Substance, Drug,
15 Device and Cosmetic Act, except those taken pursuant to the
16 lawful order of a practitioner, as defined in The Controlled
17 Substance, Drug, Device and Cosmetic Act, to the degree that he
18 may endanger himself or other persons or property, or annoy
19 persons in his vicinity. A person convicted of violating this

1 section may be sentenced to pay a fine of not more than \$1,000.

2 § 6308. Purchase, consumption, possession or transportation of
3 liquor or malt or brewed beverages.

4 * * *

5 (b) Penalty.--In addition to the penalty imposed pursuant to
6 section 6310.4 (relating to restriction of operating
7 privileges), a person convicted of violating subsection (a) may
8 be sentenced to pay a fine of not more than [\$500 for the second
9 and each subsequent violation] \$1,000.

10 * * *

11 Section 2. The amendment of 18 Pa.C.S. §§ 5505 and 6308(b)
12 shall apply to offenses committed on or after the effective date
13 of this section.

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