

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 462

Session of  
1983

INTRODUCED BY FLICK, GRUPPO, PRATT, ARTY, VROON, PITTS, HERSHEY,  
O'DONNELL, G. M. SNYDER AND CLYMER, MARCH 16, 1983

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 16, 1983

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, making it illegal to permit a person  
3 under 21 to purchase, consume, possess or transport  
4 intoxicating beverages.

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

7 Section 1. Title 18 of the Pennsylvania Consolidated  
8 Statutes is amended by adding a section to read:

9 § 6308.1. Permitting the purchase, consumption, possession or  
10 transportation of intoxicating beverages.

11 (a) Offense defined.--A person commits a misdemeanor of the  
12 third degree if, while in control or possession of the premises  
13 where a violation of section 6308 (relating to purchase,  
14 consumption, possession or transportation of intoxicating  
15 beverages) occurs, he knows or has reason to know that the  
16 violation is occurring and permits its occurrence.

17 (b) No defense.--The fact that the person in control or  
18 possession of the premises did not supply the alcohol, liquor or

1 malt or brewed beverages shall not be a defense.

2 (c) Positive duty imposed.--It is the intent of this section  
3 to impose upon the person in control or possession of the  
4 premises a positive duty to prevent the purchase, consumption,  
5 possession or transportation of intoxicating beverages by  
6 persons under 21 years of age and the omission to act shall be a  
7 sufficient basis for criminal liability.

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