

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 970

Session of
1983

INTRODUCED BY POTT, McCLATCHY, BURD, KOSINSKI, MILLER, COY,
J. L. WRIGHT, HALUSKA, PHILLIPS, BOOK, BOYES, F. E. TAYLOR,
HERSHEY, PRATT, GODSHALL, BELARDI, PRESTON AND OLASZ, MAY 10,
1983

REFERRED TO COMMITTEE ON JUDICIARY, MAY 10, 1983

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, providing for sentencing
3 alternatives for summary offenders involving drugs and
4 alcohol.

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

7 Section 1. Title 42 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 9728. Sentencing alternatives for summary offenses; drugs
10 and alcohol.

11 Any person, whether an adult or juvenile, convicted of or
12 having pled guilty or nolo contendere to a summary offense
13 involving the abuse of alcohol, drugs or controlled substances
14 may, in addition or in lieu of those penalties provided for in
15 18 Pa.C.S. §§ 1101 (relating to fines) and 1105 (relating to
16 imprisonment for summary offenses), be sentenced in the
17 alternative to:

18 (1) Partial confinement.

1 (2) Participate in a public or nonprofit community
2 service program.

3 (3) Undergo medical or psychiatric treatment or enter
4 and remain in a specified institution when required for that
5 purpose.

6 (4) Meet his family responsibilities.

7 (5) Devote himself to a specific occupation or
8 employment.

9 (6) Pursue a prescribed secular course of study or
10 vocational training.

11 (7) Attend or reside in a facility established for the
12 instruction, recreation or residence of persons on probation.

13 (8) Refrain from frequenting unlawful or disreputable
14 places or consorting with disreputable persons.

15 (9) Have in his possession no firearm or other dangerous
16 weapon unless granted written permission.

17 (10) Make restitution of the fruits of his crime or make
18 reparations, in an amount he can afford to pay, for the loss
19 or damage caused thereby.

20 (11) Remain within the jurisdiction of the court and
21 notify the court or the probation officer of any change in
22 his address or his employment.

23 (12) Report as directed to the court or the probation
24 officer and permit the probation officer to visit his home.

25 (13) Pay any fine that has been imposed.

26 (14) Participate in drug or alcohol treatment programs.

27 (15) Satisfy any other conditions reasonably related to
28 the rehabilitation of the defendant and not unduly
29 restrictive of his liberty or incompatible with his freedom
30 of conscience.

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