

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1054 Session of
1995

INTRODUCED BY E. Z. TAYLOR, FARGO, OLASZ, CLYMER, GANNON,
MILLER, COY, STABACK, TRELLO, GEIST, HENNESSEY, RAYMOND,
NICKOL, SATHER, COLAFELLA, MELIO, RUBLEY, MARSICO, ALLEN,
YOUNGBLOOD AND BARD, MARCH 7, 1995

REFERRED TO COMMITTEE ON LIQUOR CONTROL, MARCH 7, 1995

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for selling or
3 furnishing liquor or malt or brewed beverages to minors and
4 for the definitions of "liquor" and "malt or brewed
5 beverages."

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

8 Section 1. Section 6310.1(b) of Title 18 of the Pennsylvania
9 Consolidated Statutes is amended to read:

10 § 6310.1. Selling or furnishing liquor or malt or brewed
11 beverages to minors.

12 * * *

13 (b) Exceptions.--

14 (1) The provisions of this section shall not apply to
15 any religious service or ceremony which may be conducted in a
16 private home or a place of worship where the amount of wine
17 served does not exceed the amount reasonably, customarily and
18 traditionally required as an integral part of the service or

ceremony.

(2) The provisions of this section shall not apply to any institution of higher education which develops and enforces, in accordance with paragraph (3), a reasonable policy to prevent the possession or use of alcohol by persons under 21 years of age.

(3) Within 90 days of the effective date of paragraph (2), the Secretary of Health shall promulgate rules and regulations to establish minimum requirements for educational and enforcement policies which may be utilized by institutions of higher education to qualify for the exemption under paragraph (2). The rules and regulations shall include, but not be limited to, provisions which require the following:

(i) Establishment of a short educational program, which must be a required course for all students, focused to deal exclusively with alcohol and its abuse.

(ii) Creation of discrete and controllable areas for the consumption of alcoholic beverages by those of legal age with provisions for security to assure that underage persons are not served and that alcoholic beverages are not removed from the area.

(iii) A restriction that alcoholic beverages shall not be served at any function, including all athletic events, which the entire college or university community may be eligible to attend.

* * *

Section 2. The definitions of "liquor" and "malt or brewed beverages" in section 6310.6 of Title 18 are amended to read:

§ 6310.6. Definitions.

1 The following words and phrases when used in sections 6307
2 (relating to misrepresentation of age to secure liquor or malt
3 or brewed beverages) through 6310.3 (relating to carrying a
4 false identification card) shall have the meanings given to them
5 in this section unless the context clearly indicates otherwise:

6 * * *

7 "Liquor." Includes any alcoholic, spirituous, vinous,
8 fermented or other alcoholic beverage, or combination of liquors
9 and mixed liquor a part of which is spirituous, vinous,
10 fermented or otherwise alcoholic, including all drinks or
11 drinkable liquids, preparations or mixtures and reused,
12 recovered or redistilled denatured alcohol usable or taxable for
13 beverage purposes which [contain more than 0.50% of alcohol by
14 volume] may produce intoxication when used as a beverage in
15 sufficient quantities, except pure ethyl alcohol and malt or
16 brewed beverages.

17 "Malt or brewed beverages." Any beer, lager beer, ale,
18 porter or similar fermented malt beverage [containing 0.50% or
19 more of alcohol by volume] which may produce intoxication when
20 used as a beverage in sufficient quantities, by whatever name
21 such beverage may be called.

22 Section 3. This act shall take effect immediately.