

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL
No. 1204 Session of
1995

INTRODUCED BY LEMMOND, BAKER, SHAFFER, SALVATORE, O'PAKE,
GERLACH, MUSTO, DELP, ULIANA, HECKLER, TOMLINSON, BRIGHTBILL
AND HART, AUGUST 18, 1995

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF
REPRESENTATIVES, AS AMENDED, JUNE 10, 1996

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for hindering
3 apprehension or prosecution; AND FURTHER DEFINING "BOTTLE
4 CLUB." <—

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

7 Section 1. Section 5105 of Title 18 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 5105. Hindering apprehension or prosecution.

10 (a) Offense defined.--A person commits an offense if, with
11 intent to hinder the apprehension, prosecution, conviction or
12 punishment of another for crime OR VIOLATION OF PROBATION, <—
13 PAROLE, INTERMEDIATE PUNISHMENT OR ACCELERATED REHABILITATIVE
14 DISPOSITION, he:

15 (1) harbors or conceals the other;

16 (2) provides or aids in providing a weapon,

17 transportation, disguise or other means of avoiding

1 apprehension or effecting escape;

2 (3) conceals or destroys evidence of the crime, or
3 tampers with a witness, informant, document or other source
4 of information, regardless of its admissibility in evidence;

5 (4) warns the other of impending discovery or
6 apprehension, except that this paragraph does not apply to a
7 warning given in connection with an effort to bring another
8 into compliance with law; or

9 (5) [volunteers] provides false information to a law
10 enforcement officer.

11 (b) Grading.--The offense is a felony of the third degree if
12 the conduct which the actor knows has been charged or is liable
13 to be charged against the person aided would constitute a felony
14 of the first or second degree. Otherwise it is a misdemeanor of
15 the second degree.

16 SECTION 2. SECTION 7328 OF TITLE 18, ADDED NOVEMBER 22, 1995 <—
17 (P.L.621, NO.66), IS AMENDED TO READ:

18 § 7328. OPERATION OF CERTAIN ESTABLISHMENTS PROHIBITED WITHOUT
19 LOCAL OPTION.

20 * * *

21 (C) DEFINITION.--AS USED IN THIS SECTION, THE TERM "BOTTLE
22 CLUB" MEANS AN ESTABLISHMENT OPERATED FOR PROFIT OR PECUNIARY
23 GAIN, [WHICH ADMITS PATRONS UPON THE PAYMENT OF A FEE,] HAS A
24 CAPACITY FOR THE ASSEMBLAGE OF 20 OR MORE PERSONS, AND IN WHICH
25 ALCOHOLIC LIQUORS, ALCOHOL OR MALT OR BREWED BEVERAGES ARE NOT
26 LEGALLY SOLD BUT WHERE ALCOHOLIC LIQUORS, ALCOHOL OR MALT OR
27 BREWED BEVERAGES ARE EITHER PROVIDED BY THE OPERATOR OR AGENTS
28 OR EMPLOYEES OF THE OPERATOR FOR CONSUMPTION ON THE PREMISES OR
29 ARE BROUGHT INTO OR KEPT AT THE ESTABLISHMENT BY THE PATRONS OR
30 PERSONS ASSEMBLING THERE FOR USE AND CONSUMPTION. THE TERM SHALL

1 NOT INCLUDE A LICENSEE UNDER THE ACT OF APRIL 12, 1951 (P.L.90,
2 NO.21), KNOWN AS THE LIQUOR CODE, OR ANY ORGANIZATION AS SET
3 FORTH IN SECTION 6 OF THE ACT OF DECEMBER 19, 1990 (P.L.1200,
4 NO.202), KNOWN AS THE SOLICITATION OF FUNDS FOR CHARITABLE
5 PURPOSES ACT.

6 Section ~~2~~ 3. This act shall take effect in 60 days.

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