

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2185 Session of
2003

INTRODUCED BY EACHUS, BEBKO-JONES, STURLA, TRUE, HORSEY,
CORRIGAN, HENNESSEY, LEDERER, PAYNE, YOUNGBLOOD, CLYMER,
COLEMAN, CREIGHTON, DALEY, EGOLF, GEIST, GEORGE, GOOD,
HARHAI, HERSHEY, HESS, KOTIK, LaGROTTA, MAJOR, PRESTON,
READSHAW, SOLOBAY, STABACK, TANGRETTI, E. Z. TAYLOR, WALKO,
WILT, BIANCUCCI, GOODMAN, WEBER AND THOMAS, NOVEMBER 24, 2003

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
JUNE 22, 2004

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, providing for the offense of selling
3 or furnishing liquor or malt or brewed beverages to minors
4 resulting in injury or death.

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 § 6310.8. Selling or furnishing liquor or malt or brewed
10 beverages to minors resulting in injury or death.

11 (a) Bodily injury.--A person commits a misdemeanor of the
12 second degree if that person sells or furnishes any liquor or
13 any malt or brewed beverage to a person who is under 21 years of
14 age and who suffers or causes another person to suffer bodily
15 injury as a result of ingesting that liquor or malt or brewed
16 beverage.

1 (b) Serious bodily injury.--A person commits a misdemeanor
2 of the first degree if that person sells or furnishes any liquor
3 or any malt or brewed beverage to a person who is under 21 years
4 of age and who suffers or causes another person to suffer
5 serious bodily injury as a result of ingesting that liquor or
6 malt or brewed beverage.

7 (c) Death.--A person commits a felony of the third degree if
8 that person sells or furnishes any liquor or any malt or brewed
9 beverage to a person who is under 21 years of age and who dies
10 or causes the death of another person as a result of ingesting
11 that liquor or malt or brewed beverage.

12 (D) EXCEPTION.--THE PROVISIONS OF THIS SECTION SHALL NOT <—
13 APPLY TO ANY RELIGIOUS SERVICE OR CEREMONY WHICH MAY BE
14 CONDUCTED IN A PRIVATE HOME OR A PLACE OF WORSHIP WHERE THE
15 AMOUNT OF WINE SERVED DOES NOT EXCEED THE AMOUNT REASONABLY,
16 CUSTOMARILY AND TRADITIONALLY REQUIRED AS AN INTEGRAL PART OF
17 THE SERVICE OR CEREMONY.

18 ~~(d)~~ (E) Definitions.--As used in this section, the following <—
19 words and phrases shall have the meanings given to them in this
20 subsection:

21 "Bodily injury." As defined in section 2301 (relating to
22 definitions).

23 "Serious bodily injury." As defined in section 2301
24 (relating to definitions).

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