

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 395 Session of  
2011

INTRODUCED BY O'NEILL, CALTAGIRONE, CARROLL, DENLINGER, FARRY,  
HARHART, HARKINS, JOSEPHS, KILLION, MILLER, PICKETT,  
READSHAW, REICHLEY, SCAVELLO, WATSON, YOUNGBLOOD, QUINN,  
GEIST AND GABLER, FEBRUARY 2, 2011

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF  
REPRESENTATIVES, AS AMENDED, FEBRUARY 8, 2011

## AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, further providing for purchase,  
3 consumption, possession or transportation of liquor or malt  
4 or brewed beverages.

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

7 Section 1. Section 6308 of Title 18 of the Pennsylvania  
8 Consolidated Statutes is amended by adding a subsection to read:

9 § 6308. Purchase, consumption, possession or transportation of  
10 liquor or malt or brewed beverages.

11 \* \* \*

12 (f) Exception for person seeking medical attention for  
13 another.--A person shall be immune from prosecution for  
14 consumption OR POSSESSION under subsection (a) if he can  
15 establish the following:

16 (1) The sole means for law enforcement officers to  
17 become aware of the person's violation of subsection (a) is



1 because the person placed a 911 call and reported that  
2 another person was in need of medical assistance due to  
3 alcohol consumption.

4 (2) The person REASONABLY BELIEVED HE was the first ←  
5 person to make a 911 call and report that a person needed  
6 medical assistance due to alcohol consumption.

7 (3) The person provided his own name to the 911  
8 operator.

9 (4) The person remained with the person needing medical  
10 assistance until emergency health care providers arrived and  
11 the need for his presence had ended.

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