

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 941 Session of  
2011

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INTRODUCED BY CORMAN, DINNIMAN, ERICKSON, TOMLINSON, VANCE,  
TARTAGLIONE, FONTANA AND BREWSTER, APRIL 28, 2011

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AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF  
REPRESENTATIVES, AS AMENDED, SEPTEMBER 25, 2012

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## AN ACT

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

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

8 Section 1. Sections 5505 and 6308(b) of Title 18 of the  
9 Pennsylvania Consolidated Statutes are amended to read:

10 § 5505. Public drunkenness and similar misconduct.

11 A person is guilty of a summary offense if he appears in any  
12 public place manifestly under the influence of alcohol or a  
13 controlled substance, as defined in the act of April 14, 1972  
14 (P.L.233, No.64), known as The Controlled Substance, Drug,  
15 Device and Cosmetic Act, except those taken pursuant to the  
16 lawful order of a practitioner, as defined in The Controlled  
17 Substance, Drug, Device and Cosmetic Act, to the degree that he  
18 may endanger himself or other persons or property, or annoy

1 persons in his vicinity. A person convicted of violating this  
2 section may be sentenced to pay a fine of not more than ~~\$1,000~~ ←  
3 \$500 FOR THE FIRST VIOLATION AND NOT MORE THAN \$1,000 FOR THE ←  
4 SECOND AND EACH SUBSEQUENT VIOLATION.

5 § 6308. Purchase, consumption, possession or transportation of  
6 liquor or malt or brewed beverages.

7 \* \* \*

8 (b) Penalty.--In addition to the penalty imposed pursuant to  
9 section 6310.4 (relating to restriction of operating  
10 privileges), a person convicted of violating subsection (a) may  
11 be sentenced to pay a fine of not more than ~~†\$500~~ for the FIRST ←  
12 VIOLATION AND NOT MORE THAN \$1,000 FOR THE second and each  
13 subsequent violation~~†\$1,000~~. ←

14 \* \* \*

15 Section 2. The amendment of 18 Pa.C.S. §§ 5505 and 6308(b)  
16 shall apply to offenses committed on or after the effective date  
17 of this section.

18 Section 3. This act shall take effect in 60 days.