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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL**

**No. 323**      Session of  
2007

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INTRODUCED BY RAFFERTY, FONTANA, ERICKSON, WONDERLING,  
C. WILLIAMS, COSTA, MUSTO, STACK, LOGAN AND RHOADES,  
MARCH 12, 2007

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REFERRED TO LAW AND JUSTICE, MARCH 12, 2007

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AN ACT

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

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

7 Section 1. Section 6310.1 of Title 18 of the Pennsylvania  
8 Consolidated Statutes is amended to read:

9 § 6310.1. Selling or furnishing liquor or malt or brewed  
10 beverages to minors.

11 (a) Offense defined.--Except as provided in subsection (b),  
12 a person commits a misdemeanor of the third degree if he  
13 intentionally and knowingly sells or intentionally and knowingly  
14 furnishes, or purchases with the intent to sell or furnish, any  
15 liquor or malt or brewed beverages to a person who is less than  
16 21 years of age.

17 (b) Exceptions.--The provisions of this section shall not  
18 apply to any religious service or ceremony which may be

1 conducted in a private home or a place of worship where the  
2 amount of wine served does not exceed the amount reasonably,  
3 customarily and traditionally required as an integral part of  
4 the service or ceremony.

5 (c) Minimum penalty.--In addition to any other penalty  
6 imposed pursuant to this title or other statute, a person who is  
7 convicted of violating subsection (a) shall be sentenced to pay  
8 a fine of not less than \$1,000 for the first violation and a  
9 fine of \$2,500 for each subsequent violation. There shall be no  
10 authority in any court to impose on an offender any lesser  
11 sentence than the minimum sentence mandated by this subsection.  
12 No court shall have the authority to suspend any sentence as  
13 defined in this section. Nothing in this section shall prevent  
14 the sentencing court from imposing a sentence greater than the  
15 minimum sentence mandated in this subsection. In no case shall  
16 the sentence exceed the maximum sentence prescribed by law.

17 (d) Additional penalty.--In addition to the penalty provided  
18 in subsection (c), a person who is convicted of violating  
19 subsection (a) shall have his or her operating privileges  
20 suspended by order of court as follows:

- 21 (1) A 90-day suspension for a first offense.  
22 (2) A six-month suspension for a second offense.  
23 (3) A one-year suspension for a third or subsequent  
24 offense.

25 Any person who violates subsection (a) is eligible for an  
26 occupational limited license as provided for in 75 Pa.C.S. §  
27 1553 (relating to occupational limited license). A copy of the  
28 order shall be transmitted to the Department of Transportation.

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