

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 849 Session of 2009

INTRODUCED BY RAFFERTY, ERICKSON, WASHINGTON, WAUGH, LOGAN,
FARNESE AND YAW, MAY 7, 2009

REFERRED TO JUDICIARY, MAY 7, 2009

AN ACT

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

14 (1) is under 21 years of age; and

15 (2) suffers or causes another person to suffer bodily
16 injury as a result of ingesting that liquor or malt or brewed
17 beverage.

18 (b) Serious bodily injury.--A person commits a misdemeanor
19 of the first degree if that person sells or furnishes any liquor

1 or any malt or brewed beverage to a person who:

2 (1) is under 21 years of age; and

3 (2) suffers or causes another person to suffer serious
4 bodily injury as a result of ingesting that liquor or malt or
5 brewed beverage.

6 (c) Death.--A person commits a felony of the third degree if
7 that person sells or furnishes any liquor or any malt or brewed
8 beverage to a person who:

9 (1) is under 21 years of age; and

10 (2) dies or causes the death of another person as a
11 result of ingesting 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:

14 (1) conducted in a private home or a place of worship;
15 and

16 (2) in which the amount of wine served does not exceed
17 the amount reasonably, customarily and traditionally required
18 as an integral part of the service or ceremony.

19 (e) Definitions.--As used in this section, the following
20 words and phrases shall have the meanings given to them in this
21 subsection:

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

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

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