

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 448 Session of 2011

INTRODUCED BY RAFFERTY, TARTAGLIONE, ORIE, FONTANA, KITCHEN, YAW, BAKER, PILEGGI, EICHELBERGER, WAUGH, BREWSTER, GREENLEAF, EARLL, WOZNIAK, FARNESE, ERICKSON, ALLOWAY, M. WHITE AND WASHINGTON, FEBRUARY 7, 2011

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, JUNE 29, 2011

AN ACT

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

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

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

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

12 * * *

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

17 (1) The only way law enforcement officers became aware



1 of the person's violation of subsection (a) is because the
2 person placed a 911 call, or a call to campus safety, police
3 or emergency services, in good faith, based on a reasonable
4 belief and reported that another person was in need of
5 immediate medical attention to prevent death or serious
6 injury.

7 (2) The person reasonably believed he was the first
8 person to make a 911 call or a call to campus safety, police
9 or emergency services, and report that a person needed
10 immediate medical attention to prevent death or serious
11 injury.

12 (3) The person provided his own name to the 911 operator
13 or equivalent campus safety, police or emergency officer.

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

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