

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2720 Session of 2018

INTRODUCED BY COMITTA, DALEY, SCHLOSSBERG, J. McNEILL,
YOUNGBLOOD AND HILL-EVANS, OCTOBER 17, 2018

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 17, 2018

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in minors, further providing for
3 purchase, consumption, possession or transportation of liquor
4 or malt 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 subsections to read:

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

11 * * *

12 (g) Exception for person receiving medical attention.--A
13 person shall be immune from prosecution for consumption or
14 possession under subsection (a) and for a violation of probation
15 or parole if the person can establish all of the following:

16 (1) The person came to the attention of law enforcement
17 as a result of a request for immediate medical attention to
18 prevent death or serious injury.

19 (2) The person agrees to undergo a drug and alcohol

1 assessment within 45 days of the date of the violation of
2 subsection (a).

3 (3) The violation of subsection (a) is not a second or
4 subsequent offense.

5 (h) Definition.--As used in this section, the term "drug and
6 alcohol assessment" means an assessment performed by an
7 accredited addiction services provider or professional to
8 evaluate an individual's need for any of the following:

9 (1) Counseling for drug and alcohol use.

10 (2) Treatment for drug and alcohol addiction.

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