

COMMITTEE BILL ANALYSIS

Bill: Senate Bill 943

Printer's No.: 1118

Sponsor: Senator Corman

Prepared by: Gregg Warner

Synopsis: This bill amends the Judicial Code, Title 42 of the Pennsylvania Consolidated Statutes, to add section 3576 establishing an alcohol offense prevention fee.

Summary:

Alcohol offense prevention fee

Section 3576 establishes a fee of \$100 imposed for each conviction of an offense made subject to the fee by this section. The fee shall be in addition to any other fee or court cost.

Offenses subject to the fee

A person who commits, in an eligible municipality, a violation of any of the following offenses shall, upon conviction, be ordered to pay the alcohol offense prevention fee.

The Crimes Code (Title 18) offenses are:

§5505 (public drunkenness and similar misconduct).

§6307 (misrepresentation of age to secure liquor or malt or brewed beverages).

§6308 (purchase, consumption, possession or transportation of liquor or malt or brewed beverages).

§6309 (representing that minor is of age).

§6310 (inducement of minors to buy liquor or malt or brewed beverages).

§6310.1 (selling or furnishing liquor or malt or brewed beverages to minors).

§6310.2 (manufacture or sale of false identification card).

§6310.3 (carrying a false identification card).

§6310.7 (selling or furnishing nonalcoholic beverages to persons under 21 years of age).

The Fish and Boat Code (Title 30) offenses are:

§5502 (operating watercraft under influence of alcohol or controlled substance).

§5502.1 (homicide by watercraft while operating under influence).

The Vehicle Code (Title 75) offenses are:

§3718 (minor prohibited from operating with any alcohol in system).

§3735 (homicide by vehicle while driving under influence).

§3735.1 (aggravated assault by vehicle while driving under the influence).

§3802 (driving under influence of alcohol or controlled substance).

Use of fee

The fee imposed by section 3576 shall be payable to the eligible municipality in which the violation occurred and shall be expended only on the alcohol offense prevention unit operated by the law enforcement officers of the eligible municipality or on behalf of the eligible municipality.

Eligible municipality

The bill defines an “eligible municipality” as a municipality in which an institution of higher education is situated; and that has an alcohol offense prevention unit operated by law enforcement officers of the municipality or on behalf of the municipality, which unit primarily enforces the Crimes Code.

Effective date

This act takes effect in 60 days.

Background: According to the sponsor, “alcohol abuse violations in or around college and university campuses are becoming increasingly difficult to manage. The negative impacts of these violations are growing and affecting the community, schools and students alike.” To address this issue, Senate Bill 943 “provides that municipalities where colleges and universities are located may create a local law enforcement alcohol offense prevention unit to collect a fee from the courts to be used for the prevention of alcohol violations. All funds collected must be used for the prevention of alcohol violations through the law enforcement unit.”