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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2378 Session of  
2015

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INTRODUCED BY DEAN, O'BRIEN, KINSEY, SCHWEYER, ACOSTA, BRIGGS,  
FRANKEL, SCHLOSSBERG, COHEN, THOMAS AND M. DALEY,  
SEPTEMBER 27, 2016

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REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 27, 2016

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AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, in firearms and other dangerous  
3 articles, providing for the offense of carrying firearms  
4 while under the influence of alcohol.

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 § 6108.1. Carrying firearms while under the influence of  
10 alcohol.

11 (a) Offense defined.--It shall be unlawful for a person who  
12 holds a license to carry a firearm on or about his person to  
13 carry a firearm after imbibing a sufficient amount of alcohol  
14 such that the alcohol concentration in the person's blood or  
15 breath is at least 0.08%.

16 (b) Grading.--

17 (1) A person who violates subsection (a) commits a  
18 summary offense and shall, upon conviction, be sentenced to

1 pay a fine of \$100. A first offense may also result in the  
2 suspension of the license for a period not to exceed one  
3 year.

4 (2) A second or subsequent offense under subsection (a)  
5 constitutes a misdemeanor of the third degree and shall be  
6 punishable by a fine of \$300. A second or subsequent offense  
7 shall also result in the suspension of the license for a  
8 period of at least one year or in the permanent revocation of  
9 the license.

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