

## AMENDMENTS TO HOUSE BILL NO. 741

Sponsor: REPRESENTATIVE STEPHENS

Printer's No. 807

1 Amend Bill, page 2, line 4, by inserting a bracket before  
2 "one"

3 Amend Bill, page 2, line 4, by inserting after "year"  
4 ] two years

5 Amend Bill, page 2, line 9, by inserting a bracket before  
6 "two"

7 Amend Bill, page 2, line 10, by inserting after "years"  
8 ] one year

9 Amend Bill, page 4, lines 15 through 30; page 5, lines 1  
10 through 8; by striking out all of said lines on said pages and  
11 inserting

12 (a) General rule.--[A]  
13 (1) Except as provided under paragraph (2), a person 18  
14 years of age or older who is convicted in any court of this  
15 Commonwealth of a violation of section 13(a)(14) or (30) of  
16 the act of April 14, 1972 (P.L.233, No.64), known as The  
17 Controlled Substance, Drug, Device and Cosmetic Act, shall,  
18 if the delivery or possession with intent to deliver of the  
19 controlled substance occurred within 1,000 feet of the real  
20 property on which is located a public, private or parochial  
21 school or a college or university or within 250 feet of the  
22 real property on which is located a recreation center or  
23 playground or on a school bus, be sentenced to a minimum  
24 sentence of at least [two years] one year of total  
25 confinement, notwithstanding any other provision of this  
26 title, The Controlled Substance, Drug, Device and Cosmetic  
27 Act or other statute to the contrary. The maximum term of  
28 imprisonment shall be [four] two years for any offense:  
29 [(1)] (i) subject to this section; and  
30 [(2)] (ii) for which The Controlled Substance, Drug,  
31 Device and Cosmetic Act provides for a maximum term of

1 imprisonment of less than [four] two years.

2 (2) With respect to a college or university, the  
3 provisions of paragraph (1) shall not apply to a violation if  
4 the controlled substance is marihuana or hashish.

5 (3) If the sentencing court finds that the delivery or  
6 possession with intent to deliver was to an individual under  
7 18 years of age, then this section shall not be applicable  
8 and the offense shall be subject to section 6314 (relating to  
9 sentencing and penalties for trafficking drugs to minors).