

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 267 Session of
2003

INTRODUCED BY REICHLEY, YOUNGBLOOD, WILT, FAIRCHILD, BELFANTI,
GORDNER, HERMAN, MANN, MARKOSEK, REED, ZUG, R. MILLER,
HENNESSEY, WASHINGTON, HORSEY, ARGALL, HARHART, KELLER,
SEMMELE, GEIST, ALLEN, SOLOBAY, TURZAI, E. Z. TAYLOR AND
CRAHALLA, FEBRUARY 12, 2003

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
MARCH 11, 2003

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for drug trafficking
3 sentencing and penalties.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 7508(a)(8) of Title 18 of the
7 Pennsylvania Consolidated Statutes, added December 9, 2002
8 (P.L.1439, No.183), is amended to read:

9 § 7508. Drug trafficking sentencing and penalties.

10 (a) General rule.--Notwithstanding any other provisions of
11 this or any other act to the contrary, the following provisions
12 shall apply:

13 * * *

14 (8) A person who is convicted of violating section
15 [13(a)(14), (30) or (37)] 13(A)(12), (14) OR (30) of The
16 Controlled Substance, Drug, Device and Cosmetic Act where the

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1 controlled substance or a mixture containing it is 3,4- <—
2 ~~methylenedioxyamphetamine; 3,4-methylenedioxymethamphetamine;~~ <—
3 METHYLENEDIOXYAMPHETAMINE (MDA); 3,4- <—
4 METHYLENEDIOXYMETHAMPHETAMINE (MDMA); 5-methoxy-3,4-
5 ~~methylenedioxyamphetamine (MMDA); 2,5-dimethoxyamphetamine~~ <—
6 ~~(DMA)~~; 3,4-methylenedioxy-N-ethylamphetamine; N-hydroxy-3,4-
7 methylenedioxyamphetamine; or their salts, isomers and salts
8 of isomers, whenever the existence of such salts, isomers and
9 salts of isomers is possible within the specific chemical
10 designation, shall upon conviction, be sentenced as set forth
11 in this paragraph:

12 (i) When the aggregate weight of the compound or
13 mixture containing the substance involved is at least 50
14 tablets, capsules, caplets or other dosage units, or 15
15 grams and less than 100 tablets, capsules, caplets or
16 other dosage units, or less than 30 grams, the person is
17 guilty of a felony and upon conviction thereof shall be
18 sentenced to imprisonment not exceeding five years, or to
19 pay a fine not exceeding \$15,000, or both.

20 (ii) When the aggregate weight of the compound or
21 mixture containing the substance involved is at least 100
22 tablets, capsules, caplets or other dosage units, or 30
23 grams and less than 1,000 tablets, capsules, caplets or
24 other dosage units, or less than 300 grams, the person is
25 guilty of a felony and upon conviction thereof shall be
26 sentenced to imprisonment not exceeding ten years, or to
27 pay a fine not exceeding \$100,000, or both.

28 (iii) When the aggregate weight of the compound or
29 mixture containing the substance involved is at least
30 1,000 tablets, capsules, caplets or other dosage units,

1 or 300 grams, the person is guilty of a felony and upon
2 conviction thereof shall be sentenced to imprisonment not
3 exceeding 15 years, or to pay a fine not exceeding
4 \$250,000, or both.

5 * * *

6 Section 2. This act shall take effect ~~in 60 days~~

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7 IMMEDIATELY.

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