

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 915

Session of
1987

INTRODUCED BY STEVENS, CAPPABIANCA, COLAFELLA, NOYE, JOHNSON,
CORRIGAN, MAIALE, HOWLETT, TIGUE, MERRY, STABACK, SAURMAN,
DISTLER, GEIST, HAGARTY, ANGSTADT, BALDWIN, McHALE, CARLSON,
J. TAYLOR, D. W. SNYDER, McVERRY, E. Z. TAYLOR, KASUNIC,
PHILLIPS, TRELLO, GODSHALL, FOX, CLYMER, GLADECK, SIRIANNI,
CIVERA, LASHINGER, WOGAN, FISCHER, BUNT, DALEY, RAYMOND,
PRESTON AND O'BRIEN, MARCH 18, 1987

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 18, 1987

AN ACT

1 Amending the act of April 14, 1972 (P.L.233, No.64), entitled
2 "An act relating to the manufacture, sale and possession of
3 controlled substances, other drugs, devices and cosmetics;
4 conferring powers on the courts and the secretary and
5 Department of Health, and a newly created Pennsylvania Drug,
6 Device and Cosmetic Board; establishing schedules of
7 controlled substances; providing penalties; requiring
8 registration of persons engaged in the drug trade and for the
9 revocation or suspension of certain licenses and
10 registrations; and repealing an act," further providing for
11 property subject to forfeiture.

12 The General Assembly of the Commonwealth of Pennsylvania
13 hereby enacts as follows:

14 Section 1. Section 28(a) of the act of April 14, 1972
15 (P.L.233, No.64), known as The Controlled Substance, Drug,
16 Device and Cosmetic Act, is amended by adding a clause to read:

17 Section 28. Forfeiture.--(a) The following shall be subject
18 to forfeiture to the Commonwealth and no property right shall
19 exist in them:

20 * * *

1 (7) All real property, including any right, title and
2 interest in the whole of any lot or tract of land and things
3 growing on or affixed to and found on the real property that are
4 used or intended to be used, in any manner or part, to commit,
5 or to facilitate the commission of a violation of this act. No
6 real property shall, however, be forfeited under this clause to
7 the extent of an interest of an owner by reason of any act or
8 omission established by the owner to have been committed or
9 omitted without the knowledge or consent of the owner.

10 * * *

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