

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2325 Session of  
1976

INTRODUCED BY REED, LAUGHLIN, MILLIRON, PRATT AND COLE,  
APRIL 6, 1976

REFERRED TO COMMITTEE ON HEALTH AND WELFARE, APRIL 6, 1976

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 the disposition of forfeited property.

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

14 Section 1. Subsection (e) of section 28, act of April 14,  
15 1972 (P.L.233, No.64), known as "The Controlled Substance, Drug,  
16 Device and Cosmetic Act," is amended to read:

17 Section 28. Forfeiture.--\* \* \*

18 (e) Whenever property is forfeited under this act, the  
19 property shall be transferred to the custody of the department  
20 and the secretary may:

21 (1) Retain the property for official use;

22 (2) Sell any forfeited property which is not required to be

1 destroyed by law and which is not harmful to the public, but the  
2 proceeds from any such sale shall be used to pay all proper  
3 expenses of the proceedings for forfeiture and sale including  
4 expenses of seizure, maintenance of custody, advertising and  
5 court costs;

6 (3) Transfer the property to the custody of the Pennsylvania  
7 State Police, or any other department or agency of the  
8 Commonwealth for their official use.

9 Section 2. This act shall take effect immediately.