

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 494

Session of
1979

INTRODUCED BY SALVATORE, McKELVEY, D. M. O'BRIEN, PERZEL, ARTY
AND ROCKS, MARCH 6, 1979

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 6, 1979

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, prohibiting the sale, dispensing or
3 giving of hypodermic needles or devices capable of being used
4 for injecting a controlled substance except by a pharmacist
5 pursuant to a written prescription from a physician.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Title 18, act of November 25, 1970 (P.L.707,
9 No.230), known as the Pennsylvania Consolidated Statutes, is
10 amended by adding a section to read:

11 § 7525. Sale of hypodermic needles, etc.

12 (a) Offense defined.--A person is guilty of a misdemeanor of
13 the first degree if he sells, dispenses or gives any hypodermic
14 needle or other device used or capable of being used or modified
15 for use for the purpose of injecting into the human body a
16 controlled substance as defined and listed in the act of April
17 14, 1972 (P.L.233, No.64), known as "The Controlled Substance,
18 Drug, Device and Cosmetic Act," unless:

19 (1) the hypodermic needle or device is sold, dispensed

1 or given under the supervision, direction and authorization
2 by a written prescription issued by a licensed physician; and
3 (2) the person who sells, dispenses or gives such
4 devices is a licensed pharmacist.

5 (b) Repeated offense penalty.--A person who commits a second
6 or subsequent offense shall be guilty of a felony of the third
7 degree.

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