

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2047 Session of  
1987

INTRODUCED BY RIEGER, DONATUCCI, TRUMAN, ACOSTA, EVANS, MRKONIC,  
COLE, BELARDI, MORRIS, WOGAN, ARTY, FOX, KOSINSKI, BIRMELIN,  
CALTAGIRONE, CARLSON, STUBAN, RYBAK, GLADECK, D. R. WRIGHT,  
DAVIES, BALDWIN, HERMAN, BURD, BUSH, J. TAYLOR, WAMBACH,  
YANDRISEVITS, TRELLO, DISTLER, STABACK, NAHILL, GODSHALL,  
GRUPPO, STEVENS, SAURMAN, HERSHEY, JOHNSON, CIVERA, OLASZ,  
RAYMOND, DeLUCA, G. SNYDER, LINTON, PETRONE AND OLIVER,  
DECEMBER 7, 1987

REFERRED TO COMMITTEE ON JUDICIARY, DECEMBER 7, 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," providing that the  
11 distribution of certain controlled substances which results  
12 in a death constitutes murder of the second degree.

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

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

18 Section 15.1. Distribution of Narcotic Drugs Resulting in  
19 Death.--Any person who violates this act by distributing a  
20 controlled substance listed in Schedule I or II which is a

1 narcotic drug to another person and that person or any other  
2 person dies as a result of the use of such controlled substance  
3 is guilty of murder of the second degree and upon conviction  
4 shall be sentenced to life imprisonment.

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