

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 535 Session of
1997

INTRODUCED BY REBER, JAROLIN, NAILOR, GEORGE, DALLY, READSHAW,
KENNEY, BAKER, DENT, BROWN, WAUGH, TIGUE, OLASZ, JADLOWIEC,
BELARDI, STURLA, WALKO, BLAUM, HARHART, LYNCH, SAINATO,
GRUITZA, FICHTER, MARKOSEK, DALEY, HERSHEY, BATTISTO,
CORPORA, MARSICO, SEMMEL, YOUNGBLOOD, SAYLOR, MELIO, ITKIN,
HALUSKA, GODSHALL, SERAFINI, FEESE, BENNINGHOFF, B. SMITH,
RUBLEY, L. I. COHEN, LUCYK, E. Z. TAYLOR, LEDERER, EGOLF,
BOSCOLA, BARD, CIVERA, STABACK, RAYMOND, HESS, ROBERTS,
BROWNE, TRELLO AND COY, FEBRUARY 12, 1997

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 12, 1997

AN ACT

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

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

6 Section 1. Section 6314(a) and (b)(3) of Title 18 of the
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 6314. Sentencing and penalties for trafficking drugs to
9 minors.

10 (a) General rule.--A person [over] 18 years of age or older
11 who is convicted in any court of this Commonwealth of a
12 violation of section 13(a)(14) or (30) of the act of April 14,
13 1972 (P.L.233, No.64), known as The Controlled Substance, Drug,
14 Device and Cosmetic Act, shall, if the delivery or possession
15 with intent to deliver of the controlled substance was to a

1 minor, be sentenced to a minimum sentence of at least one year
2 total confinement, notwithstanding any other provision of this
3 title or other statute to the contrary.

4 (b) Additional penalties.--In addition to the mandatory
5 minimum sentence set forth in subsection (a), the person shall
6 be sentenced to an additional minimum sentence of at least two
7 years total confinement, notwithstanding any other provision of
8 this title or other statute to the contrary, if the person did
9 any of the following:

10 * * *

11 (3) Committed the offense within 1,000 feet of the real
12 property on which is located a public, private or parochial
13 school or a college or university, playground, video arcade
14 or community recreational center.

15 * * *

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