

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1607

Session of
2005

INTRODUCED BY RAPP, J. EVANS, CAUSER, PICKETT, BAKER, BOYD,
BUNT, CALTAGIRONE, CAPPELLI, CLYMER, CRAHALLA, CREIGHTON,
FAIRCHILD, GINGRICH, GOOD, HARRIS, REICHLEY, RUBLEY, STERN,
TIGUE, TRUE, TURZAI AND DENLINGER, JUNE 3, 2005

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF
REPRESENTATIVES, AS AMENDED, SEPTEMBER 27, 2005

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 penalties for certain offenses involving marijuana.

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

14 Section 1. Section 13(f) 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 13. Prohibited Acts; Penalties.--* * *

18 (f) Any person who violates clause (12), (14) or (30) of
19 subsection (a) with respect to:

20 * * *

21 (1.2) Marijuana, where the amount of marijuana involved is

1 at least two (2) pounds but not in excess of one thousand
2 (1,000) pounds, or at least ~~twenty one (21)~~ TEN (10) live <—
3 plants, is guilty of a felony and upon conviction thereof shall
4 be sentenced to imprisonment not exceeding seven years, or to
5 pay a fine not exceeding fifteen thousand dollars (\$15,000), or
6 both, or a larger amount as is sufficient to exhaust the assets
7 utilized in and the profits obtained from the illegal
8 manufacture or distribution of this substance.

9 * * *

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