

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2034 Session of
2005

INTRODUCED BY CORRIGAN, LEDERER, SHANER, FABRIZIO, BEBKO-JONES,
BENNINGHOFF, BEYER, BOYD, CALTAGIRONE, CASORIO, CLYMER,
CRAHALLA, DENLINGER, GEIST, GINGRICH, GRUCELA, HENNESSEY,
HERMAN, HERSHEY, HESS, HUTCHINSON, KIRKLAND, KOTIK, MANN,
MARSICO, MUNDY, PYLE, RAMALEY, SATHER, SCHRODER, STABACK,
E. Z. TAYLOR, J. TAYLOR, THOMAS, TIGUE, TRUE, WHEATLEY,
WILLIAMS, YOUNGBLOOD AND HARRIS, OCTOBER 17, 2005

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 17, 2005

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, providing for the offense of selling
3 marijuana or hemp flavored confectioneries.

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

6 Section 1. Title 18 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 7331. Sale of certain confectioneries.

9 (a) Offense defined.--A person commits an offense if the
10 person sells or offers to sell candy or another confectionery
11 that the person knows is designed and manufactured to contain
12 the actual or simulated flavor of marijuana or hemp.

13 (b) Penalty.--An offense under this section shall be
14 punishable by a term of imprisonment not to exceed one year and
15 a fine not to exceed \$5,000, or both.

16 (c) Definitions.--As used in this section, the following

1 words and phrases shall have the meanings given to them in this
2 subsection:

3 "Hemp." A tall widely cultivated Asian herb of the mulberry
4 family with tough bast fiber used especially for cordage and
5 every compound, manufacture, salt, derivative, mixture or
6 preparation of that plant or its seeds.

7 "Marijuana." The plant Cannabis sativa L., whether growing
8 or not, the seeds of that plant and every compound, manufacture,
9 salt, derivative, mixture or preparation of that plant or its
10 seeds.

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