

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 436 Session of 2007

INTRODUCED BY GORDNER, MADIGAN, ROBBINS, WONDERLING, ARMSTRONG, BOSCOLA, BROWNE, BRUBAKER, COSTA, ERICKSON, FOLMER, FONTANA, KASUNIC, LOGAN, ORIE, PUNT, RAFFERTY, REGOLA, RHOADES, TARTAGLIONE, TOMLINSON, WAUGH AND D. WHITE, MARCH 14, 2007

REFERRED TO JUDICIARY, MARCH 14, 2007

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, providing for the offense of operation
3 of methamphetamine laboratory.

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 § 7508.2. Operation of methamphetamine laboratory.

9 (a) Offense defined.--

10 (1) A person commits the offense of operating a
11 methamphetamine laboratory if the person knowingly causes a
12 chemical reaction involving ephedrine, pseudoephedrine or
13 phenylpropanolamine or any of their salts, optical isomers or
14 salts of optical isomers for the purpose of manufacturing
15 methamphetamine or preparing a precursor substance for the
16 manufacture of methamphetamine.

17 (b) Grading.--

1 (1) Except as provided in paragraph (2), an offense
2 under this subsection constitutes a felony of the second
3 degree.

4 (2) A person who violates subsection (a) commits a
5 felony of the first degree if the chemical reaction occurs
6 within 1,000 feet of the real property on which is located a
7 public, private or parochial school, a college or university
8 or a nursery school or day care center, or within 250 feet of
9 the real property on which is located a recreation center or
10 playground.

11 (c) Applicability.--This section does not apply to the
12 manufacturing operation of a licensed pharmaceutical company in
13 the normal course of business.

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