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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 486 Session of  
2015

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INTRODUCED BY DAWKINS, BISHOP, KORTZ, SCHWEYER, MILLARD, BOBACK,  
READSHAW, CARROLL, D. COSTA, THOMAS, COHEN, BROWNLEE,  
MAHONEY, HARHAI, ROZZI, MURT, QUINN, TOOHIL AND McNEILL,  
FEBRUARY 17, 2015

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REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 17, 2015

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AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, in minors, further providing for drug-  
3 free school zones.

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

6 Section 1. Section 6317(a) of Title 18 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 6317. Drug-free school zones.

9 (a) General rule.--A person 18 years of age or older who is  
10 convicted in any court of this Commonwealth of a violation of  
11 section 13(a)(14) or (30) of the act of April 14, 1972 (P.L.233,  
12 No.64), known as The Controlled Substance, Drug, Device and  
13 Cosmetic Act, shall, if the delivery or possession with intent  
14 to deliver of the controlled substance occurred within 1,000  
15 feet of the real property on which is located a public, private  
16 or parochial school or a college or university or within 250  
17 feet of the real property on which is located a recreation

1 center or playground or library or on a school bus, be sentenced  
2 to a minimum sentence of at least two years of total  
3 confinement, notwithstanding any other provision of this title,  
4 The Controlled Substance, Drug, Device and Cosmetic Act or other  
5 statute to the contrary. The maximum term of imprisonment shall  
6 be four years for any offense:

7 (1) subject to this section; and

8 (2) for which The Controlled Substance, Drug, Device and  
9 Cosmetic Act provides for a maximum term of imprisonment of  
10 less than four years.

11 If the sentencing court finds that the delivery or possession  
12 with intent to deliver was to an individual under 18 years of  
13 age, then this section shall not be applicable and the offense  
14 shall be subject to section 6314 (relating to sentencing and  
15 penalties for trafficking drugs to minors).

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