

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1361 Session of
2015

INTRODUCED BY BARTOLOTTA, VOGEL, HUTCHINSON, YAW, YUDICHAK,
VULAKOVICH, DINNIMAN, RAFFERTY, BROWNE AND RESCHENTHALER,
SEPTEMBER 12, 2016

REFERRED TO JUDICIARY, SEPTEMBER 12, 2016

AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and
2 Judicial Procedure) of the Pennsylvania Consolidated
3 Statutes, in assault, providing for the offense of drug
4 delivery resulting in serious bodily injury; and, in
5 sentencing, further providing for sentences for second and
6 subsequent offenses.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

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

11 § 2718. Drug delivery resulting in serious bodily injury.

12 A person commits a felony of the second degree if the person
13 intentionally administers, dispenses, delivers, gives,
14 prescribes, sells or distributes any controlled substance or
15 counterfeit controlled substance in violation of section 13(a)
16 (14) or (30) of the act of April 14, 1972 (P.L.233, No.64),
17 known as The Controlled Substance, Drug, Device and Cosmetic
18 Act, and another person suffers serious bodily injury as a
19 result of using the substance.

1 Section 2. Section 9714(g) of Title 42 is amended to read:

2 § 9714. Sentences for second and subsequent offenses.

3 * * *

4 (g) Definition.--As used in this section, the term "crime of
5 violence" means murder of the third degree, voluntary

6 manslaughter, manslaughter of a law enforcement officer as

7 defined in 18 Pa.C.S. § 2507(c) or (d) (relating to criminal

8 homicide of law enforcement officer), murder of the third degree

9 involving an unborn child as defined in 18 Pa.C.S. § 2604(c)

10 (relating to murder of unborn child), aggravated assault of an

11 unborn child as defined in 18 Pa.C.S. § 2606 (relating to

12 aggravated assault of unborn child), aggravated assault as

13 defined in 18 Pa.C.S. § 2702(a)(1) or (2) (relating to

14 aggravated assault), assault of law enforcement officer as

15 defined in 18 Pa.C.S. § 2702.1 (relating to assault of law

16 enforcement officer), use of weapons of mass destruction as

17 defined in 18 Pa.C.S. § 2716(b) (relating to weapons of mass

18 destruction), terrorism as defined in 18 Pa.C.S. § 2717(b)(2)

19 (relating to terrorism), drug delivery resulting in serious

20 bodily injury as defined in 18 Pa.C.S. § 2718 (relating to drug

21 delivery resulting in serious bodily injury), trafficking of

22 persons when the offense is graded as a felony of the first

23 degree as provided in 18 Pa.C.S. § 3002 (relating to trafficking

24 of persons), rape, involuntary deviate sexual intercourse,

25 aggravated indecent assault, incest, sexual assault, arson

26 endangering persons or aggravated arson as defined in 18 Pa.C.S.

27 § 3301(a) or (a.1) (relating to arson and related offenses),

28 ecoterrorism as classified in 18 Pa.C.S. § 3311(b)(3) (relating

29 to ecoterrorism), kidnapping, burglary as defined in 18 Pa.C.S.

30 § 3502(a)(1) (relating to burglary), robbery as defined in 18

1 Pa.C.S. § 3701(a)(1)(i), (ii) or (iii) (relating to robbery), or
2 robbery of a motor vehicle, drug delivery resulting in death as
3 defined in 18 Pa.C.S. § 2506(a) (relating to drug delivery
4 resulting in death), or criminal attempt, criminal conspiracy or
5 criminal solicitation to commit murder or any of the offenses
6 listed above, or an equivalent crime under the laws of this
7 Commonwealth in effect at the time of the commission of that
8 offense or an equivalent crime in another jurisdiction.

9 Section 3. This act shall take effect in 60 days.