
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 621 Session of
2017

INTRODUCED BY RAFFERTY, VULAKOVICH, COSTA AND MENSCH,
APRIL 13, 2017

REFERRED TO JUDICIARY, APRIL 13, 2017

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 definitions; providing for the offense of tampering with
12 package or receptacle; and prescribing a penalty.

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

15 Section 1. Section 2(b) of the act of April 14, 1972
16 (P.L.233, No.64), known as The Controlled Substance, Drug,
17 Device and Cosmetic Act, is amended by adding a definition to
18 read:

19 Section 2. Definitions.--* * *

20 (b) As used in this act:

21 * * *

22 "Tampers with" means to intentionally and unlawfully change,
23 substitute or alter by or through deception or theft a

1 controlled substance that is lawfully manufactured when the
2 change, substitution or alteration does not occur pursuant to a
3 valid order of a licensed practitioner in the normal course of
4 professional practice.

5 * * *

6 Section 2. The act is amended by adding a section to read:

7 Section 9.1. Tampering With Package or Receptacle.--(a) A
8 person commits an offense if he intentionally tampers with a
9 package or receptacle or with the contents of a package or
10 receptacle containing a controlled substance that is lawfully
11 manufactured.

12 (b) An offense under this section shall be graded as a
13 felony of the third degree.

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