

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2006 Session of  
2014

INTRODUCED BY BIZZARRO, SNYDER, HAGGERTY, SCHLOSSBERG, CRUZ,  
KORTZ, V. BROWN, MCNEILL, D. COSTA, MOLCHANY, YOUNGBLOOD,  
COHEN, MILLARD, KOTIK, O'BRIEN, HARKINS, SWANGER, LUCAS,  
FABRIZIO, NEILSON, WHITE, MATZIE, HARHAI, FLYNN, DEASY, MURT,  
KAVULICH, NEUMAN, CONKLIN, DeLUCA, KULA, KINSEY, DONATUCCI,  
FARINA, GIBBONS AND QUINN, JANUARY 30, 2014

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 30, 2014

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, further providing for  
3 sentences for offenses against elderly persons.

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

6 Section 1. Section 9717 of Title 42 of the Pennsylvania  
7 Consolidated Statutes is amended by adding subsections to read:  
8 § 9717. Sentences for offenses against elderly persons.

9 \* \* \*

10 (a.1) Mandatory sentence for theft of prescription  
11 medication.--A person under 60 years of age convicted of the  
12 following offenses when the victim is over 60 years of age and  
13 the items taken, disposed of, deceived or extorted were  
14 prescription medications shall be sentenced to a mandatory term  
15 of imprisonment as follows:

16 18 Pa.C.S. § 3921 (relating to theft by unlawful taking

1 or disposition) - not less than 12 months, but the imposition  
2 of the minimum sentence shall be discretionary with the court  
3 where the court finds justifiable cause and that finding is  
4 written in the opinion.

5 18 Pa.C.S. § 3922 - not less than six months, but the  
6 imposition of the minimum sentence shall be discretionary  
7 with the court where the court finds justifiable cause and  
8 that finding is written in the opinion.

9 18 Pa.C.S. § 3923 (relating to theft by extortion) - not  
10 less than six months, but the imposition of the minimum  
11 sentence shall be discretionary with the court where the  
12 court finds justifiable cause and that finding is written in  
13 the opinion.

14 \* \* \*

15 (c) Definition.--As used in this section, the term  
16 "prescription medication" means a drug that is available only  
17 with written instructions from a doctor to a pharmacist  
18 prescribed for and intended to be used by one individual and  
19 regulated by the Federal Food and Drug Administration.

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