AN ACT

Amending the act of April 14, 1972 (P.L.233, No.64), entitled "An act relating to the manufacture, sale and possession of controlled substances, other drugs, devices and cosmetics; conferring powers on the courts and the secretary and Department of Health, and a newly created Pennsylvania Drug, Device and Cosmetic Board; establishing schedules of controlled substances; providing penalties; requiring registration of persons engaged in the drug trade and for the revocation or suspension of certain licenses and registrations; and repealing an act," further providing for prohibited acts and penalties.

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for suspension of operating privilege.

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

Section 1. Section 13(g) of the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, is amended to read:

Section 13. Prohibited Acts; Penalties.--* * *

(g) Any person who violates clause (31) of subsection (a) [is guilty of a misdemeanor and upon conviction thereof shall be sentenced to imprisonment not exceeding thirty days, or to pay a
fine not exceeding five hundred dollars ($500), or both.:

(1) For a first or second offense, commits a summary offense
and shall, upon conviction, pay a fine of not more than three
hundred dollars ($300).

(2) For a third or subsequent offense, commits a misdemeanor
of the third degree and shall, upon conviction, pay a fine of
not more than one thousand dollars ($1,000).

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Section 2. Section 1532(c) of Title 75 of the Pennsylvania
Consolidated Statutes is amended to read:

§ 1532. Suspension of operating privilege.

* * *
(c) Suspension.—The department shall suspend the operating
privilege of any person upon receiving a certified record of the
person's conviction of any offense involving the possession,
sale, delivery, offering for sale, holding for sale or giving
away of any controlled substance under the laws of the United
States, this Commonwealth or any other state, or any person 21
years of age or younger upon receiving a certified record of the
person's conviction or adjudication of delinquency under 18
Pa.C.S. § 2706 (relating to terroristic threats) committed on
any school property, including any public school grounds, during
any school-sponsored activity or on any conveyance providing
transportation to a school entity or school-sponsored activity.

(1) Except as provided under paragraph (1.1), the
period of suspension shall be as follows:

(i) For a first offense, a period of six months from
the date of the suspension.

(ii) For a second offense, a period of one year from
the date of the suspension.
(iii) For a third and any subsequent offense thereafter, a period of two years from the date of the suspension.

(1.1) For a third and any subsequent violation of section 13(a)(31) of the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, a period of six months from the date of suspension.

(2) For the purposes of this subsection, the term "conviction" shall include any conviction or adjudication of delinquency for any of the offenses listed in paragraph (1), whether in this Commonwealth or any other Federal or state court.

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