

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2871 Session of
1986

INTRODUCED BY FOX, JAROLIN, NAHILL, SAURMAN, CORNELL, STEVENS,
MORRIS, RYAN, REINARD, PETRONE, ANGSTADT, MICOZZIE,
McCLATCHY, WOGAN, MAIALE, GODSHALL, NOYE, R. C. WRIGHT,
PRESSMANN, RAYMOND, JOHNSON, FISCHER, POTT, KOSINSKI,
BALDWIN, KENNEY, O'BRIEN, CHADWICK, WASS, PISTELLA, SERAFINI,
CIMINI, GALLEN, DORR, BURD, TIGUE, MAYERNIK, ARGALL, CIVERA,
PITTS, BARLEY, BOWSER, HERMAN, WAMBACH, BOWLEY, JOHNSON,
MILLER, STABACK, DAVIES, BOYES, STAIRS, KASUNIC, MANMILLER,
HAGARTY, LASHINGER, BLAUM, WESTON, FARGO, HAYES, DININNI,
DONATUCCI, J. L. WRIGHT, E. Z. TAYLOR, PERZEL, CLYMER,
DISTLER, BIRMEIN, ACOSTA, HERSHEY, RIEGER, GLADECK, BUNT,
J. TAYLOR, GANNON, LANGTRY, FEE, CARLSON, MERRY, HALUSKA,
ARTY, G. SNYDER, DURHAM, FREIND, FOSTER, HOWLETT, CLARK,
STEIGHNER, COY, PUNT, TELEK, MARKOSEK, DeLUCA, JACKSON, BUSH,
FLICK, RUDY, LEVDANSKY, BRANDT, LUCYK, MRKONIC, B. SMITH,
VROON, CAWLEY, BELARDI, VEON, BOOK, GRUPPO, SEMMEL,
LESCOVITZ, D. W. SNYDER, BLACK AND MACKOWSKI, OCTOBER 7, 1986

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 7, 1986

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," providing that a
11 conviction for the sale of certain controlled substances
12 would result in an automatic mandatory ten-year sentence.

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

15 Section 1. Section 13 of the act of April 14, 1972 (P.L.233,

1 No.64), known as The Controlled Substance, Drug, Device and
2 Cosmetic Act, is amended by adding a subsection to read:

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

4 (1) Notwithstanding any other provision in this act, any
5 person, not a registrant, who sells, delivers, offers for sale,
6 holds for sale, or gives away any heroin or any coca leaves and
7 any salt, compound, derivative, or preparation of coca leaves,
8 or any preparation thereof which is chemically equivalent or
9 identical with any of these substances, but not including
10 decocainized coca leaves or extracts of coca leaves, which
11 extracts do not contain cocaine or ecgonine, shall be guilty of
12 a felony, and shall, upon conviction thereof, be sentenced to
13 imprisonment for not less than ten years.

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