

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 331

Session of
1987

INTRODUCED BY FOX, McCLATCHY, J. L. WRIGHT, PRESSMANN, BUNT, TRELLO, VROON, BUSH, PETRONE, HERSHEY, J. TAYLOR, ARTY, NOYE, SIRIANNI, MRKONIC, BIRMELIN, MORRIS, LaGROTTA, HAGARTY, GODSHALL, PERZEL, HERMAN, WILSON, D. W. SNYDER, PUNT, WESTON, MAIALE, RAYMOND, KENNEY, KOSINSKI, MERRY, DeLUCA, BLAUM, JOHNSON, BOOK, FEE, LEH, RUDY, GANNON, DISTLER, BLACK, E. Z. TAYLOR, FREIND, HASAY, CIMINI, BURD, WOGAN, STEVENS, CLYMER, CHADWICK, SEMMEL, FARMER, LANGTRY, PHILLIPS, CIVERA, BALDWIN, SERAFINI, DIETTERICK, STAIRS, FISCHER, COY, ANGSTADT, JACKSON, GLADECK, REINARD, CARLSON, CORNELL, NAHILL, BOWSER, FLICK, TELEK, LASHINGER, DAVIES, G. SNYDER, McHALE, JAROLIN, RYAN, MICOZZIE, R. C. WRIGHT, O'BRIEN, DONATUCCI, DURHAM, FOSTER, STEIGHNER, MARKOSEK, DININNI, LEVDANSKY, BRANDT, LUCYK, B. SMITH, CAWLEY, GRUPPO, LESCOVITZ, GALLEN, DORR, HOWLETT, CLARK, BARLEY, MILLER, BOYES, KASUNIC, MANMILLER, BOWLEY, WASS, WAMBACH, PISTELLA AND FARGO, FEBRUARY 23, 1987

REFERRED TO COMMITTEE ON HEALTH AND WELFARE, FEBRUARY 23, 1987

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 the sentencing of certain second or subsequent offenders.

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

14 Section 1. Section 15 of the act of April 14, 1972 (P.L.233,
15 No.64), known as The Controlled Substance, Drug, Device and

1 Cosmetic Act, amended October 26, 1972 (P.L.1048, No.263), is
2 amended to read:

3 Section 15. Second or Subsequent Offense.--(a) Any person
4 convicted of a second or subsequent offense under clause (30) of
5 subsection (a) of section 13 of this act or of a similar offense
6 under any statute of the United States or of any state [may]
7 shall be imprisoned for a term up to twice the term otherwise
8 authorized, fined an amount up to twice that otherwise
9 authorized, or both.

10 (b) For purposes of this section, an offense is considered a
11 second or subsequent offense, if, prior to the commission of the
12 second offense, the offender has at any time been convicted
13 under clause (30) of subsection (a) of section 13 of this act or
14 of a similar offense under any statute of the United States or
15 of any state relating to controlled substances.

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