

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2296 Session of  
1990

INTRODUCED BY CALTAGIRONE, PISTELLA, MORRIS, HALUSKA, PRESSMANN,  
NAILOR, COLAIZZO, MOEHLMANN, FARGO, BATTISTO, FOX, RAYMOND,  
WOGAN, JADLOWIEC, LINTON, FAIRCHILD, BILLOW, F. TAYLOR,  
GODSHALL, BELFANTI, HARPER, PRESTON, GIGLIOTTI, TANGRETTI,  
FARMER, HERMAN, DeLUCA, DIETTERICK, JOHNSON, PESCI, COHEN,  
STABACK, SERAFINI, DEMPSEY, MELIO, RYBAK AND STISH,  
FEBRUARY 12, 1990

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 12, 1990

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 penalties.

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

14 Section 1. Section 13(m) of the act of April 14, 1972  
15 (P.L.233, No.64), known as The Controlled Substance, Drug,  
16 Device and Cosmetic Act, added December 22, 1989 (P.L. ,  
17 No.92), is amended to read:

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

19 (m) Notwithstanding any other provision in this act, any  
20 person, not a registrant, who possesses, sells, delivers, offers

1 for sale, holds for sale or gives away any controlled substance,  
2 in addition to any other penalty provided in this or any act,  
3 upon conviction for a violation of this act, shall have his or  
4 her operating privilege suspended. [A copy of the court order  
5 shall be transmitted to the Department of Transportation.] The  
6 clerk of any court of this Commonwealth, within ten days after  
7 final judgment of conviction for violations of this act  
8 requiring suspension under this section, shall send to the  
9 Department of Transportation a record of the conviction on a  
10 form provided by the Department of Transportation. When the  
11 [department] Department of Transportation suspends the operating  
12 privilege of a person under this subsection, the duration of the  
13 suspension shall be as follows:

14 (1) For a first offense, a period of 90 days from the date  
15 of suspension.

16 (2) For a second offense, a period of one year from the date  
17 of suspension.

18 (3) For a third offense, and any offense thereafter, a  
19 period of two years from the date of suspension. Any multiple  
20 sentences imposed shall be served consecutively.

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