

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 25

Session of
1991

INTRODUCED BY CALTAGIRONE, PICCOLA, LaGROTTA, SAURMAN, MERRY,
GEIST, NOYE, GIGLIOTTI, DALEY, WAMBACH, NAILOR, KOSINSKI,
STABACK, KAISER, KENNEY, LAUGHLIN, HALUSKA, KRUSZEWSKI,
STEIGHNER, FOX, ANGSTADT, PRESTON, DeLUCA, HECKLER, GLADECK,
HERMAN, FARMER AND MELIO, JANUARY 15, 1991

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 15, 1991

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 to conform with Federal requirements.

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, amended December 17, 1990 (P.L. ,
17 No.187), 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
21 for sale, holds for sale or gives away any controlled substance,

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

11 (1) For a first offense, a period of [90 days] six months
12 from the date of suspension.

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

15 (3) For a third offense, and any offense thereafter, a
16 period of two years from the date of suspension. Any multiple
17 suspensions imposed shall be served consecutively.

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