

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1205 Session of
1999

INTRODUCED BY TRELLO, CORRIGAN, BELARDI, SAINATO, READSHAW,
PESCI, ORIE, STABACK, TRICH, SOLOBAY, BELFANTI, SEYFERT,
COLAFELLA, SHANER, CLARK, WOJNAROSKI, SURRA, HARHAI,
LAUGHLIN, YOUNGBLOOD, THOMAS, DeLUCA, WALKO, J. TAYLOR,
GRUCELA, MELIO, COY, M. COHEN, ROBINSON, E. Z. TAYLOR AND
BROWNE, APRIL 12, 1999

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 12, 1999

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for sentencing and
3 penalties for trafficking drugs to minors.

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

6 Section 1. Section 6314(a) and (b) of Title 18 of the
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 6314. Sentencing and penalties for trafficking drugs to
9 minors.

10 (a) General rule.--A person [over] 18 years of age or older
11 who is convicted in any court of this Commonwealth of a
12 violation of section 13(a)(14) or (30) of the act of April 14,
13 1972 (P.L.233, No.64), known as The Controlled Substance, Drug,
14 Device and Cosmetic Act, shall, if the delivery or possession
15 with intent to deliver of the controlled substance was to a
16 minor, be sentenced to a minimum sentence of at least one year

1 total confinement, notwithstanding any other provision of this
2 title or other statute to the contrary.

3 (b) Additional penalties.--In addition to the mandatory
4 minimum sentence set forth in subsection (a), the person shall
5 be sentenced to an additional minimum sentence of at least two
6 years total confinement, notwithstanding any other provision of
7 this title or other statute to the contrary, if the person did
8 any of the following:

9 (1) Committed the offense with the intent to promote the
10 habitual use of the controlled substance.

11 (2) Intended to engage the minor in the trafficking,
12 transportation, delivery, manufacturing, sale or conveyance.

13 (3) Committed the offense within 1,000 feet of the real
14 property on which is located a public, private or parochial
15 school [or], a college or university, a public or private
16 playground, an amusement facility or a publicly owned
17 recreational area or center.

18 (4) Committed the offense on a school bus or within 500
19 feet of a school bus stop.

20 * * *

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