

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1712 Session of  
2009

INTRODUCED BY MARSICO, BAKER, BELFANTI, BEYER, BOBACK, BOYD,  
BRADFORD, CIVERA, D. COSTA, CUTLER, DALEY, DALLY, EVERETT,  
FAIRCHILD, FLECK, GEIST, GINGRICH, GOODMAN, GRELL, HARHART,  
HELM, HESS, HICKERNELL, HORNAMAN, KAUFFMAN, M. KELLER, KORTZ,  
KOTIK, MAJOR, MARSHALL, MENSCH, METZGAR, MILLARD, MILLER,  
MILNE, MOUL, MURT, OBERLANDER, PHILLIPS, PICKETT, PYLE,  
READSHAW, REICHLEY, ROCK, SCAVELLO, SIPTROTH, K. SMITH,  
STEVENSON, SWANGER, J. TAYLOR, TRUE, TURZAI, VEREB AND  
VULAKOVICH, JUNE 15, 2009

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 15, 2009

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, further providing for the offense of  
3 drug delivery resulting in death.

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

6 Section 1. Section 2506(a) and (b) of Title 18 of the  
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 2506. Drug delivery resulting in death.

9 (a) General rule.--A person commits [murder of the third  
10 degree who] a felony of the first degree if the person  
11 intentionally, knowingly or recklessly administers, dispenses,  
12 delivers, gives, prescribes, sells or distributes any controlled  
13 substance or counterfeit controlled substance in violation of  
14 section 13(a)(14) or (30) of the act of April 14, 1972 (P.L.233,  
15 No.64), known as The Controlled Substance, Drug, Device and

1 Cosmetic Act, and another person dies as a result of using the  
2 substance.

3 (b) Mandatory minimum sentence.--A person convicted under  
4 subsection (a) shall be sentenced to a minimum sentence of at  
5 least [five] 20 years of total confinement and a fine of  
6 \$15,000, or such larger amount as is sufficient to exhaust the  
7 assets utilized in and the proceeds from the illegal activity,  
8 notwithstanding any other provision of this title or other  
9 statute to the contrary.

10 \* \* \*

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