

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1205 Session of
2011

INTRODUCED BY GREENLEAF, M. WHITE, WILLIAMS AND WOZNIAK,
JULY 25, 2011

REFERRED TO JUDICIARY, JULY 25, 2011

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in other offenses, further providing
3 for drug trafficking sentencing and penalties.

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

6 Section 1. Section 7508(a) introductory paragraph of Title
7 18 of the Pennsylvania Consolidated Statutes is amended and the
8 section is amended by adding a subsection to read:

9 § 7508. Drug trafficking sentencing and penalties.

10 (a) General rule.--[Notwithstanding] Except as provided for
11 in subsection (c.1), notwithstanding any other provisions of
12 this or any other act to the contrary, the following provisions
13 shall apply:

14 * * *

15 (c.1) Exception.--A court may impose on a defendant a lesser
16 sentence than the mandatory sentence provided for in this
17 section if the court has a compelling reason to believe that a
18 substantial injustice would occur by applying the mandatory

1 sentence unless:

2 (1) The defendant has a prior record score of more than
3 three points under the sentencing guidelines.

4 (2) The defendant used or possessed a firearm or other
5 dangerous weapon or induced another participant to do so in
6 connection with the current offense or any prior conviction.

7 (3) The offense resulted in death or serious bodily
8 injury.

9 * * *

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