

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 511 Session of 2015

INTRODUCED BY BIZZARRO, SNYDER, SCHWEYER, COHEN, THOMAS,
McNEILL, DRISCOLL, YOUNGBLOOD, SCHLOSSBERG, KINSEY, MATZIE,
MILLARD, KORTZ, BAKER, BOBACK, D. COSTA, MURT, READSHAW,
HARHAI, MAHONEY, McCARTER, MOUL, BISHOP, DAVIS, DAVIDSON,
HEFFLEY, W. KELLER AND DONATUCCI, FEBRUARY 23, 2015

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 23, 2015

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in sentencing, further
3 providing for sentences for offenses against elderly persons.

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

6 Section 1. Section 9717 of Title 42 of the Pennsylvania
7 Consolidated Statutes is amended by adding subsections to read:
8 § 9717. Sentences for offenses against elderly persons.

9 * * *

10 (a.1) Mandatory sentence for theft of prescription
11 medication.--A person under 60 years of age convicted of the
12 following offenses when the victim is over 60 years of age and
13 the items taken, disposed of, deceived or extorted were
14 prescription medications shall be sentenced to a mandatory term
15 of imprisonment as follows:

16 18 Pa.C.S. § 3921 (relating to theft by unlawful taking
17 or disposition) - not less than 12 months, but the imposition

1 of the minimum sentence shall be discretionary with the court
2 where the court finds justifiable cause and that finding is
3 written in the opinion.

4 18 Pa.C.S. § 3922 - not less than six months, but the
5 imposition of the minimum sentence shall be discretionary
6 with the court where the court finds justifiable cause and
7 that finding is written in the opinion.

8 18 Pa.C.S. § 3923 (relating to theft by extortion) - not
9 less than six months, but the imposition of the minimum
10 sentence shall be discretionary with the court where the
11 court finds justifiable cause and that finding is written in
12 the opinion.

13 * * *

14 (c) Definition.--As used in this section, the term
15 "prescription medication" means a drug that is available only
16 with written instructions from a doctor to a pharmacist
17 prescribed for and intended to be used by one individual and
18 regulated by the Federal Food and Drug Administration.

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