

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 2349

Session of  
1982

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INTRODUCED BY GREENWOOD, J. L. WRIGHT, GALLAGHER, CLYMER, BURNS,  
WILSON, CORDISCO, POTT, STUBAN, FLECK, FRAZIER, MORRIS,  
B. SMITH, PETERSON, BELFANTI, PRATT, BOYES, DAVIES, RASCO,  
SIEMINSKI, MERRY, PUCCIARELLI, JOHNSON, MAIALE, DAIKELER,  
WOZNIAK AND ARTY, MARCH 23, 1982

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AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,  
MAY 5, 1982

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## 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 regarding MANUFACTURE OF phencyclidine and <—  
12 methamphetamine and related drugs.

13 The General Assembly of the Commonwealth of Pennsylvania  
14 hereby enacts as follows:

15 Section 1. Clause (1.1) of subsection (f) of section 13, act  
16 of April 14, 1972 (P.L.233, No.64), known as "The Controlled  
17 Substance, Drug, Device and Cosmetic Act," amended November 26,  
18 1978 (P.L.1392, No.328), is amended to read:

19 Section 13. Prohibited Acts; Penalties.--\* \* \*

20 (f) Any person who violates clause (14) or clause (30) of  
21 subsection (a) with respect to:

1       \* \* \*

2       (1.1) Phencyclidine and methamphetamine, including its  
3       salts, isomers and salts of isomers, is guilty of a felony and  
4       upon conviction thereof shall be sentenced to imprisonment not  
5       ~~{exceeding} less than one year, nor more than~~ ten years, or to <—  
6       pay a fine not exceeding one hundred thousand dollars  
7       (\$100,000), or both, EXCEPT THAT ANY PERSON UPON CONVICTION OF <—  
8       UNLAWFUL MANUFACTURE SHALL BE SENTENCED TO IMPRISONMENT OF NOT  
9       LESS THAN ONE YEAR NOR MORE THAN TEN YEARS AND TO PAY A FINE NOT  
10      EXCEEDING ONE HUNDRED THOUSAND DOLLARS (\$100,000) or such larger  
11      amount as is sufficient to exhaust the assets utilized in and  
12      the profits obtained from the illegal manufacture or  
13      distribution of these substances. Neither, probation without  
14      verdict, nor accelerated rehabilitative disposition shall be  
15      available to any person who manufactures drugs enumerated in  
16      this clause.

17      \* \* \*

18      Section 2. This act shall take effect immediately.