

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 855 Session of  
1989

INTRODUCED BY TRICH, DeWEESE, KUKOVICH, COWELL, GODSHALL, ITKIN, FLICK, McHALE, ROBINSON, LETTERMAN, PRESSMANN, SCRIMENTI, RITTER, KOSINSKI, VEON, LEVDANSKY, STABACK, COLAIZZO, STUBAN, DOMBROWSKI, HECKLER, BISHOP, FOX, TIGUE, COY, TRELLO, MICHLOVIC, BURD, VAN HORNE, BELARDI, E. Z. TAYLOR, HALUSKA, JOHNSON, PRESTON, PISTELLA, DeLUCA, BELFANTI, ROBBINS, GEIST, MILLER, MELIO, B. SMITH, KASUNIC, KAISER, OLASZ, PETRONE, COLAFELLA, BUSH, JAMES, LAUGHLIN, LESCOVITZ, MORRIS, WILLIAMS, NOYE, CIVERA, RYBAK, WOZNIAK, McNALLY, GIGLIOTTI, CARN, EVANS, LLOYD, FREEMAN AND J. H. CLARK, APRIL 3, 1989

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 3, 1989

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," classifying anabolic  
11 steroids as a Schedule II controlled substance.

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

14 Section 1. Section 4(2) of the act of April 14, 1972  
15 (P.L.233, No.64), known as The Controlled Substance, Drug,  
16 Device and Cosmetic Act, is amended by adding a clause to read:

17 Section 4. Schedules of Controlled Substances.--The  
18 following schedules include the controlled substances listed or

1 to be listed by whatever official name, common or usual name,  
2 chemical name, or trade name designated.

3 \* \* \*

4 (2) Schedule II--In determining that a substance comes  
5 within this schedule, the secretary shall find: a high potential  
6 for abuse, currently accepted medical use in the United States,  
7 or currently accepted medical use with severe restrictions, and  
8 abuse may lead to severe psychic or physical dependence. The  
9 following controlled substances are included in this schedule:

10 \* \* \*

11 (vi) Anabolic steroid includes any material, compound,  
12 mixture or preparation that includes any of the following or any  
13 isomer, ester, salt or derivative of any of the following that  
14 acts in the same manner on the human body:

15 (1) Chorionic gonadotropin.

16 (2) Clostebol.

17 (3) Dehydrochlormethyltestosterone.

18 (4) Ethylestrenol.

19 (5) Fluoxymesterone.

20 (6) Mesterolone.

21 (7) Metenolone.

22 (8) Methandienone.

23 (9) Methandrostenolone.

24 (10) Methyltestosterone.

25 (11) Nandrolone decanoate.

26 (12) Nandrolone phenpropionate.

27 (13) Norethandrolone.

28 (14) Oxandrolone.

29 (15) Oxymesterone.

30 (16) Oxymetholone.

1     (17) Stanozolol.

2     (18) Testosterone propionate.

3     (19) Testosterone-like related compounds.

4     (20) Human growth hormone.

5     \* \* \*

6     Section 2. Section 11 of the act is amended by adding a  
7 subsection to read:

8     Section 11. Professional Prescription, Administration, and  
9 Dispensing.--\* \* \*

10     (d.1) A practitioner shall not prescribe, administer or  
11 dispense any anabolic steroid for the purpose of enhancing a  
12 person's performance in an exercise, sport or game. A  
13 practitioner may not prescribe, administer or dispense any  
14 anabolic steroid for the purpose of hormonal manipulation  
15 intended to increase muscle mass, strength or weight except when  
16 medically necessary.

17     \* \* \*

18     Section 3. Section 13(a) and (b) of the act, amended  
19 December 14, 1984 (P.L.988, No.200), are amended and subsection  
20 (a) is amended by adding a clause to read:

21     Section 13. Prohibited Acts; Penalties.--(a) The following  
22 acts and the causing thereof within the Commonwealth are hereby  
23 prohibited:

24     \* \* \*

25     (37) The possession by any person, other than a  
26 practitioner, pharmacist or a manufacturer, of twenty-five  
27 labels or three 2cc bottles of any anabolic steroid.

28     (b) Any person who violates any of the provisions of clauses  
29 (1) through (11), (13) and (15) through (20) or (37) of  
30 subsection (a) shall be guilty of a misdemeanor, and except for

1 clauses (4), (6), (7), (8), (9) and (19) shall, on conviction  
2 thereof, be sentenced to imprisonment not exceeding one year or  
3 to pay a fine not exceeding five thousand dollars (\$5,000), or  
4 both, and for clauses (4), (6), (7), (8), (9) and (19) shall, on  
5 conviction thereof, be sentenced to imprisonment not exceeding  
6 three years or to pay a fine not exceeding five thousand dollars  
7 (\$5,000), or both; but, if the violation is committed after a  
8 prior conviction of such person for a violation of this act  
9 under this section has become final, such person shall be  
10 sentenced to imprisonment not exceeding three years or to pay a  
11 fine not exceeding twenty-five thousand dollars (\$25,000), or  
12 both.

13 \* \* \*

14 Section 4. This act shall take effect in 60 days.