

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 50

Session of
1993

INTRODUCED BY LLOYD, PETRARCA, MIHALICH, DeWEESE, FEE, PESCI,
TOMLINSON, HECKLER, HESS, KING, CESSAR, FAJT, MICOZZIE AND
KASUNIC, JANUARY 27, 1993

REFERRED TO COMMITTEE ON RULES, JANUARY 27, 1993

AN ACT

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

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

6 Section 1. Section 7508(a)(4) of Title 18 of the
7 Pennsylvania Consolidated Statutes is amended to read:

8 § 7508. Drug trafficking sentencing and penalties.

9 (a) General rule.--Notwithstanding any other provisions of
10 this or any other act to the contrary, the following provisions
11 shall apply:

12 * * *

13 (4) A person who is convicted of violating section
14 13(a)(14), (30) or (37) of The Controlled Substance, Drug,
15 Device and Cosmetic Act where the controlled substance is N-
16 ethylamphetamine, methamphetamine or phencyclidine or is a
17 salt, isomer or salt of an isomer of N-ethylamphetamine,
18 methamphetamine or phencyclidine or is a mixture containing

1 N-ethylamphetamine, methamphetamine or phencyclidine,
2 containing a salt of N-ethylamphetamine, methamphetamine or
3 phencyclidine, containing an isomer of N-ethylamphetamine,
4 methamphetamine or phencyclidine, containing a salt of an
5 isomer of N-ethylamphetamine, methamphetamine or
6 phencyclidine shall, upon conviction, be sentenced to a
7 mandatory minimum term of imprisonment and a fine as set
8 forth in this subsection:

9 (i) when the aggregate weight of the compound or
10 mixture containing the substance involved is at least
11 five grams and less than ten grams; three years in prison
12 and a fine of \$15,000 or such larger amount as is
13 sufficient to exhaust the assets utilized in and the
14 proceeds from the illegal activity; however, if at the
15 time of sentencing the defendant has been convicted of
16 another drug trafficking offense: five years in prison
17 and \$30,000 or such larger amount as is sufficient to
18 exhaust the assets utilized in and the proceeds from the
19 illegal activity;

20 (ii) when the aggregate weight of the compound or
21 mixture containing the substance involved is at least ten
22 grams and less than 100 grams; four years in prison and a
23 fine of \$25,000 or such larger amount as is sufficient to
24 exhaust the assets utilized in and the proceeds from the
25 illegal activity; however, if at the time of sentencing
26 the defendant has been convicted of another drug
27 trafficking offense: seven years in prison and \$50,000 or
28 such larger amount as is sufficient to exhaust the assets
29 utilized in and the proceeds from the illegal activity;

30 and

(iii) when the aggregate weight of the compound or mixture containing the substance involved is at least 100 grams; five years in prison and a fine of \$50,000 or such larger amount as is sufficient to exhaust the assets utilized in and the proceeds from the illegal activity; however, if at the time of sentencing the defendant has been convicted of another drug trafficking offense: eight years in prison and \$50,000 or such larger amount as is sufficient to exhaust the assets utilized in and the proceeds from the illegal activity.

* * *

Section 2. The amendment of 18 Pa.C.S. § 7508(a)(4) shall apply to prosecutions based on conduct which occurs on or after the effective date of this act.

Section 3. This act shall take effect in 60 days.