

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 266 Session of
2003

INTRODUCED BY REICHLEY, WILT, FAIRCHILD, BELFANTI, GORDNER,
HERMAN, MANN, MARKOSEK, REED, ZUG, R. MILLER, HENNESSEY,
WASHINGTON, HORSEY, ARGALL, HARHART, KELLER, SEMMEL, GEIST,
ALLEN AND TURZAI, FEBRUARY 12, 2003

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 12, 2003

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 prohibited acts and penalties.

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

14 Section 1. Section 13(f)(1) of the act of April 14, 1972
15 (P.L.233, No.64), known as The Controlled Substance, Drug,
16 Device and Cosmetic Act, amended December 14, 1984 (P.L.988,
17 No.200), is amended to read:

18 Section 13. Prohibited Acts; Penalties.--* * *

19 (f) Any person who violates clause (12), (14) or (30) of
20 subsection (a) with respect to:

21 (1) A controlled substance or counterfeit substance

1 classified in Schedule I or II which is a narcotic drug or a
2 controlled substance or a mixture containing 3,4-
3 methylenedioxymethamphetamine; 3,4-methylenedioxy-N-
4 ethylamphetamine; N-hydroxy-3,4-methylenedioxyamphetamine; or
5 their salts, isomers and salts of isomers, whenever the
6 existence of such salts, isomers and salts of isomers is
7 possible within the specific chemical designation, is guilty of
8 a felony and upon conviction thereof shall be sentenced to
9 imprisonment not exceeding fifteen years, or to pay a fine not
10 exceeding two hundred fifty thousand dollars (\$250,000), or both
11 or such larger amount as is sufficient to exhaust the assets
12 utilized in and the profits obtained from the illegal activity.

13 * * *

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