

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 679 Session of 2007

INTRODUCED BY JAMES, DERMODY, YOUNGBLOOD, PARKER, CREIGHTON, JOSEPHS, HARHAI, BLACKWELL, J. TAYLOR, YUDICHAK, CASORIO, STABACK, CALTAGIRONE, READSHAW, HENNESSEY, GOODMAN, O'NEILL, DeLUCA, ROAE, MYERS, BOYD, M. O'BRIEN, BENNINGTON, FREEMAN, DALEY, GEIST, VEREB, SIPTROTH, FRANKEL AND WILLIAMS, MARCH 9, 2007

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 9, 2007

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for the offense of
3 solicitation of minors to traffic drugs.

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

6 Section 1. Section 6319 of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 6319. Solicitation and use of minors to traffic drugs.

9 (a) Offense defined.--A person 18 years of age or older
10 commits a felony of the second degree if he [solicits a person
11 who is less than 18 years of age to engage in a violation of
12 section 13(a)(14) or (30) of the act of April 14, 1972 (P.L.233,
13 No.64), known as The Controlled Substance, Drug, Device and
14 Cosmetic Act, or delivers or conspires to deliver a controlled
15 substance to such a person, intending, knowing or having reason
16 to know that the person intends to engage in such a violation

1 with the controlled substance.]:

2 (1) solicits a person who is under 18 years of age to
3 engage in a violation of section 13(a)(14) or (30) of the act
4 of April 14, 1972 (P.L.233, No.64), known as The Controlled
5 Substance, Drug, Device and Cosmetic Act;

6 (2) delivers or conspires to deliver a controlled
7 substance to a person who is under 18 years of age,
8 intending, knowing or having reason to know that the person
9 intends to engage in a violation of section 13(a)(14) or (30)
10 of The Controlled Substance, Drug, Device and Cosmetic Act
11 with the controlled substance; or

12 (3) receives or conspires to receive a controlled
13 substance from a person who is under 18 years of age knowing
14 or having reason to know that the person is engaging in a
15 violation of section 13(a)(14) or (30) of The Controlled
16 Substance, Drug, Device and Cosmetic Act.

17 (b) Drug-free school zone.--A person violating subsection
18 (a) commits a felony of the first degree if he intends, knows or
19 has reason to know that the person under 18 years of age intends
20 to violate section 13(a)(14) or (30) of The Controlled
21 Substance, Drug, Device and Cosmetic Act in a drug-free school
22 zone.

23 (c) Definition.--As used in this section, the term "drug-
24 free school zone" means the area within 1,000 feet of the real
25 property on which is located a public, private or parochial
26 school or a college or university. The term also includes a
27 school bus or the area within 500 feet of a school bus stop.

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