

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2221 Session of  
2008

INTRODUCED BY BOBACK, BAKER, BOYD, FLECK, GEIST, GOODMAN,  
KAUFFMAN, MENSCH, MOYER, O'NEILL, PHILLIPS, PICKETT, PYLE,  
READSHAW, SIPTROTH, K. SMITH, STERN, SWANGER, TURZAI AND  
WATSON, MARCH 10, 2008

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 10, 2008

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, providing for drug offenses and  
3 minors.

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

6 Section 1. Title 18 of the Pennsylvania Consolidated  
7 Statutes is amended by adding a section to read:

8 § 6321. Drug offenses and minors.

9 (a) Offenses defined.--

10 (1) A person commits a felony of the third degree if,  
11 while in a structure with a child under 18 years of age, the  
12 person violates any provision of the act of April 14, 1972  
13 (P.L.233, No.64), known as The Controlled Substance, Drug,  
14 Device and Cosmetic Act.

15 (2) A person commits a felony of the second degree if,  
16 while in a structure with a child under 18 years of age, the  
17 person violates any provision of The Controlled Substance,

1 Drug, Device and Cosmetic Act and the child suffers bodily  
2 injury as a result of the violation.

3 (b) Penalties.--

4 (1) A person who violates subsection (a)(1) shall, upon  
5 conviction, be sentenced to pay a fine of not more than  
6 \$25,000 and to imprisonment for not more than seven years.

7 (2) A person who violates subsection (a)(2) shall, upon  
8 conviction, be sentenced to pay a fine of not more than  
9 \$50,000 and to imprisonment for not more than ten years.

10 (c) Definition.--For purposes of this section, "structure"  
11 shall mean any house, building, apartment, shop, store,  
12 warehouse, shed, barn, vessel, railroad car, cargo container,  
13 motor vehicle, house car, trailer, trailer coach, camper, mine,  
14 floating home or other enclosed structure capable of occupancy.

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