

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2223 Session of
2008

INTRODUCED BY EVERETT, BAKER, BEYER, BOYD, CAPPELLI, CAUSER,
GEIST, GEORGE, GINGRICH, HENNESSEY, HERSHEY, HESS,
HICKERNELL, HORNAMAN, HUTCHINSON, KAUFFMAN, M. KELLER, MAJOR,
MENSCH, MILLARD, MILNE, MOUL, MOYER, MURT, PAYNE, PHILLIPS,
PICKETT, PYLE, READSHAW, SIPTROTH, STERN, TRUE, TURZAI,
WATSON AND YOUNGBLOOD, MARCH 10, 2008

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 10, 2008

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(i) of the act of April 14, 1972
15 (P.L.200, 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 (i) Any person who violates clauses (32), (33) and (34) of
20 subsection (a) is guilty of a misdemeanor of the second degree

1 and upon conviction thereof shall be sentenced to pay a fine not
2 exceeding [two thousand five hundred dollars (\$2,500) or to
3 imprisonment not exceeding one (1) year] five thousand dollars
4 (\$5,000) or to imprisonment not exceeding two (2) years, or
5 both. Any person who violates clause (33) by delivering drug
6 paraphernalia to a person under eighteen (18) years of age who
7 is three (3) or more years his junior shall be guilty of a
8 misdemeanor of the [second] first degree and upon conviction
9 thereof shall be sentenced to pay a fine [not exceeding five
10 thousand dollars (\$5,000) or to imprisonment not exceeding two
11 (2) years] not exceeding ten thousand dollars (\$10,000) or to
12 imprisonment not exceeding five (5) years, or both.

13 * * *

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