

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1289 Session of 2011

INTRODUCED BY PYLE, ADOLPH, AUMENT, BAKER, BEAR, BLOOM, BOBACK, BOYD, BROOKS, R. BROWN, CAUSER, CHRISTIANA, CLYMER, CUTLER, DAY, DENLINGER, DIGIROLAMO, DUNBAR, ELLIS, EMRICK, EVANKOVICH, J. EVANS, FABRIZIO, FARRY, FLECK, GABLER, GEIST, GERGELY, GILLESPIE, GINGRICH, GROVE, HAHN, HARHART, HARRIS, HEFFLEY, HESS, HICKERNELL, HUTCHINSON, KAMPF, KAUFFMAN, F. KELLER, M. K. KELLER, KILLION, KNOWLES, KRIEGER, LAWRENCE, MAJOR, MARSHALL, MARSICO, METCALFE, MICCARELLI, MILLARD, MILLER, MILNE, MOUL, MURPHY, MURT, OBERLANDER, O'NEILL, PAYNE, PEIFER, PERRY, PICKETT, QUIGLEY, QUINN, RAPP, READSHAW, REED, REESE, REICHLEY, ROAE, ROCK, ROSS, SACCONI, SAYLOR, CULVER, SCHRODER, K. SMITH, SONNEY, STEPHENS, STERN, STEVENSON, SWANGER, TALLMAN, TOBASH, TOOHIL, TURZAI, VEREB AND VULAKOVICH, APRIL 5, 2011

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 5, 2011

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
 2 Pennsylvania Consolidated Statutes, providing for sentencing  
 3 enhancement for trafficking drugs in the presence of a minor.

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

6 Section 1. Title 42 of the Pennsylvania Consolidated  
 7 Statutes is amended by adding a section to read:

8 § 9720.3. Sentencing enhancement for trafficking drugs in the  
 9 presence of a minor.

10 The Pennsylvania Commission on Sentencing, under section 2154  
 11 (relating to adoption of guidelines for sentencing), shall  
 12 provide for a sentencing enhancement if a person over 18 years

1 of age is convicted in any court of this Commonwealth of a  
2 violation of section 13(a)(14) or (30) of the act of April 14,  
3 1972 (P.L.233, No.64), known as The Controlled Substance, Drug,  
4 Device and Cosmetic Act, and all of the following conditions  
5 apply:

6       (1) The violation was committed in the presence of a  
7 minor.

8       (2) The person convicted is the minor's parent, guardian  
9 or a person standing in loco parentis to the minor.

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