

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 536 Session of 2011

INTRODUCED BY RAFFERTY, TARTAGLIONE, BROWNE, ORIE, FONTANA,
WAUGH AND MENSCH, FEBRUARY 14, 2011

REFERRED TO PUBLIC HEALTH AND WELFARE, FEBRUARY 14, 2011

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," providing for automatic
11 changes to schedules of controlled substances.

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

14 Section 1. The act of April 14, 1972 (P.L.233, No.64), known
15 as The Controlled Substance, Drug, Device and Cosmetic Act, is
16 amended by adding a section to read:

17 Section 4.1. Automatic Changes to Schedules of Controlled
18 Substances.--(a) When, pursuant to the Federal drug abuse
19 control laws, the Federal Government adds a compound mixture,
20 preparation or substance to the schedules of controlled
21 substances or transfers any of the same between one schedule to
22 another or removes a compound mixture preparation or substance

1 from the schedules of controlled substances, then such addition,
2 transfer or removal shall occur to the corresponding schedule or
3 schedules of controlled substances contained in this act. The
4 change in schedule shall be effective within sixty days from the
5 date of the Federal scheduling change and the secretary shall
6 publish notice of the change as a notice in the Pennsylvania
7 Bulletin.

8 (b) If any person objects to the change in schedule during
9 the sixty-day period the objection may be submitted to the
10 secretary and the secretary shall proceed according to the
11 provisions of section 3 by requesting advice in writing from the
12 board.

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