

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 447 Session of 2013

INTRODUCED BY PYLE, KNOWLES, METCALFE, TALLMAN, M. K. KELLER, SACCONI, BROOKS, CUTLER, MILLER, HARHAI, AUMENT, V. BROWN, SAYLOR, KORTZ, REED, KAUFFMAN, HICKERNELL, SONNEY, SWANGER, CAUSER, TOEPEL, EMRICK, PICKETT, LAWRENCE, MAJOR, MILLARD, HARKINS, MILNE, BAKER, BOBACK, HESS, VEREB, MOUL, WATSON, FLECK, C. HARRIS, GINGRICH, GABLER, CLYMER, MAHONEY, ROCK, GROVE, DEASY, MARSICO AND MURT, JANUARY 30, 2013

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 30, 2013

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 § 9720.5. 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
 13 of age is convicted in any court of this Commonwealth of a
 14 violation of section 13(a)(14) or (30) of the act of April 14,
 15 1972 (P.L.233, No.64), known as The Controlled Substance, Drug,
 16 Device and Cosmetic Act, and all of the following conditions

1 apply:

2 (1) The violation was committed in the presence of a
3 minor or in any residence in which a minor is present.

4 (2) The person convicted is the minor's parent,
5 stepparent, guardian, an individual responsible for the
6 minor's welfare or an individual involved in an intimate
7 relationship with the minor's parent, stepparent, guardian or
8 responsible individual.

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