
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 865 Session of
2013

INTRODUCED BY GORDNER, APRIL 24, 2013

REFERRED TO JUDICIARY, APRIL 24, 2013

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 penalties involving liquefied ammonia gas, precursors and
12 chemicals.

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

15 Section 1. Section 13.1 of the act of April 14, 1972
16 (P.L.233, No.64), known as The Controlled Substance, Drug,
17 Device and Cosmetic Act, amended April 29, 2010 (P.L.182,
18 No.21), is amended to read:

19 Section 13.1. Liquefied Ammonia Gas; Precursors and
20 Chemicals.--(a) The following acts are prohibited:

21 (1) Possessing or transporting liquefied ammonia gas:

22 (i) for any purpose other than legitimate agricultural or
23 industrial use; or

1 (ii) in a container not approved by the Department of
2 Agriculture or the Department of Transportation or both.

3 (2) Possessing or transporting liquefied ammonia gas with
4 intent to manufacture a controlled substance.

5 (3) Possessing red phosphorous, hypophosphoric acid,
6 ammonium sulfate, phosphorous, iodine, hydriodic acid,
7 ephedrine, pseudoephedrine, lithium, sodium, potassium,
8 sassafras oil, safrole oil or other oil containing safrole or
9 equivalent, whether in powder or liquid form,
10 phenylpropanolamine, phenyl acetone, methylamine, ammonium
11 sulfate, ammonium nitrate or phenyl acetic acid with intent to
12 manufacture a controlled substance.

13 (4) Possessing the esters, salts, optical isomers or salts
14 of optical isomers of any of the substances under clause (3)
15 with intent to manufacture a controlled substance.

16 (b) A person who violates subsection (a)(1) commits a
17 misdemeanor and upon conviction shall be sentenced to
18 imprisonment not exceeding five years and to pay a fine not
19 exceeding ten thousand dollars (\$10,000).

20 (c) A person who violates subsection (a)(2) [or], (3) or (4)
21 commits a felony and upon conviction shall be sentenced to
22 imprisonment not exceeding seven years and to pay a fine not
23 exceeding fifteen thousand dollars (\$15,000).

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