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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1422 Session of  
2015

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INTRODUCED BY JOZWIAK, J. HARRIS, ENGLISH, ROZZI, MAHONEY,  
COHEN, O'BRIEN, BARBIN, CALTAGIRONE, COX, RADER, GAINNEY,  
SCHWEYER, FRANKEL, McNEILL, KAUFER, D. PARKER, D. COSTA,  
KORTZ, DeLISSIO, JAMES, DIAMOND, EVERETT AND KINSEY,  
JUNE 28, 2015

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REFERRED TO COMMITTEE ON JUDICIARY, JUNE 28, 2015

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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(g) of the act of April 14, 1972  
15 (P.L.233, 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 (g) Any person who violates clause (31) of subsection (a)  
20 [is guilty of a misdemeanor and upon conviction thereof shall be  
21 sentenced to imprisonment not exceeding thirty days, or to pay a

1 fine not exceeding five hundred dollars (\$500), or both.]:

2 (1) For a first offense, commits a summary offense and  
3 shall, upon conviction, pay a fine of not less than five hundred  
4 dollars (\$500).

5 (2) For a second offense, commits a summary offense and  
6 shall, upon conviction, pay a fine of not less than seven  
7 hundred fifty dollars (\$750).

8 (3) For a third or subsequent offense, commits a misdemeanor  
9 of the third degree and shall, upon conviction, pay a fine of  
10 not less than one thousand dollars (\$1,000).

11 \* \* \*

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