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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 511 Session of  
2017

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INTRODUCED BY BIZZARRO, FLYNN, McNEILL, DRISCOLL, NEILSON,  
TAYLOR, JAMES, ROZZI, MATZIE, READSHAW, D. COSTA, MOUL,  
GILLEN, V. BROWN, M. QUINN, DeLUCA AND KORTZ, MARCH 6, 2017

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REFERRED TO COMMITTEE ON JUDICIARY, MARCH 6, 2017

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AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, in sentencing, further  
3 providing for sentences for offenses against elderly persons.

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

6 Section 1. Section 9717 of Title 42 of the Pennsylvania  
7 Consolidated Statutes is amended by adding subsections to read:  
8 § 9717. Sentences for offenses against elderly persons.

9 \* \* \*

10 (a.1) Mandatory sentence for theft of prescription  
11 medication.--A person under 60 years of age convicted of the  
12 following offenses when the victim is over 60 years of age and  
13 the items taken, disposed of, deceived or extorted were  
14 prescription medications shall be sentenced to a mandatory term  
15 of imprisonment as follows:

16 18 Pa.C.S. § 3921 (relating to theft by unlawful taking  
17 or disposition) - not less than 12 months, but the imposition  
18 of the minimum sentence shall be discretionary with the court

1 where the court finds justifiable cause and that finding is  
2 written in the opinion.

3 18 Pa.C.S. § 3922 - not less than six months, but the  
4 imposition of the minimum sentence shall be discretionary  
5 with the court where the court finds justifiable cause and  
6 that finding is written in the opinion.

7 18 Pa.C.S. § 3923 (relating to theft by extortion) - not  
8 less than six months, but the imposition of the minimum  
9 sentence shall be discretionary with the court where the  
10 court finds justifiable cause and that finding is written in  
11 the opinion.

12 \* \* \*

13 (c) Definition.--As used in this section, the term  
14 "prescription medication" means a drug that is available only  
15 with written instructions from a doctor to a pharmacist  
16 prescribed for and intended to be used by one individual and  
17 regulated by the Federal Food and Drug Administration.

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