

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 137 Session of 2019

INTRODUCED BY QUINN, McNEILL, COX, SAYLOR, SIMMONS, HILL-EVANS, BARRAR, CONKLIN AND STRUZZI, JANUARY 28, 2019

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 28, 2019

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 drug overdose response immunity.

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

14 Section 1. Section 13.7(c) of the act of April 14, 1972
 15 (P.L.233, No.64), known as The Controlled Substance, Drug,
 16 Device and Cosmetic Act, is amended to read:

17 Section 13.7. Drug Overdose Response Immunity.--* * *

18 (c) [Persons experiencing drug overdose events may not be
 19 charged and shall be immune from prosecution as provided in
 20 subsection (b) if a person who transported or reported and
 21 remained with them may not be charged and is entitled to
 22 immunity under this section.] (1) A person experiencing a drug

1 overdose event may not be charged and shall be immune from
2 prosecution if, within ten days after receiving medical
3 attention for the drug overdose event, the person experiencing
4 the drug overdose event obtained a screening and received a
5 referral for treatment from a properly accredited addiction
6 services provider, including a certified recovery specialist or
7 other trained medical professional.

8 (2) A person who transported or reported and remained with a
9 person experiencing a drug overdose event may not be charged and
10 is entitled to immunity under this section.

11 * * *

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