

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 475 Session of 2019

INTRODUCED BY HAHN, READSHAW, PICKETT, DUNBAR, SAPPEY, TOPPER,
BARRAR, MACKENZIE, BROWN, OBERLANDER, MILLARD, SAYLOR,
ZIMMERMAN, NEILSON, RYAN AND GILLEN, FEBRUARY 12, 2019

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 12, 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] A person experiencing a drug overdose [events]
19 event may not be charged and shall be immune from prosecution as
20 provided in subsection (b) if [a person who]:

21 (1) another person against whom probable cause exists to
22 charge an offense listed in subsection (b) or a violation of

1 parole or probation transported or reported and remained with
2 [them may not be charged] the person experiencing the drug
3 overdose; and

4 (2) the other person is entitled to immunity under this
5 section.

6 * * *

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