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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 93 Session of  
2019

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INTRODUCED BY BARTOLOTTA, LANGERHOLC, FOLMER, BREWSTER, YAW,  
MARTIN, STEFANO, MENSCH, J. WARD, COSTA, KILLION, K. WARD,  
REGAN, LAUGHLIN, BROWNE AND VOGEL, JANUARY 23, 2019

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REFERRED TO JUDICIARY, JANUARY 23, 2019

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AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and  
2 Judicial Procedure) of the Pennsylvania Consolidated  
3 Statutes, in assault, providing for the offense of drug  
4 delivery resulting in serious bodily injury; and, in  
5 sentencing, providing for sentencing for drug delivery  
6 resulting in serious bodily injury.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. Title 18 of the Pennsylvania Consolidated  
10 Statutes is amended by adding a section to read:

11 § 2719. Drug delivery resulting in serious bodily injury.

12 A person commits a felony of the third degree if the person  
13 intentionally administers, dispenses, delivers, gives,  
14 prescribes, sells or distributes any controlled substance or  
15 counterfeit controlled substance in violation of section 13(a)  
16 (14) or (30) of the act of April 14, 1972 (P.L.233, No.64),  
17 known as The Controlled Substance, Drug, Device and Cosmetic  
18 Act, and another person suffers serious bodily injury as defined  
19 in section 2301 (relating to definitions) as a result of using

1 the substance.

2 Section 2. Title 42 is amended by adding a section to read:

3 § 9720.9. Sentencing for drug delivery resulting in serious  
4 bodily injury.

5 The Pennsylvania Commission on Sentencing, in accordance with  
6 section 2154 (relating to adoption of guidelines for  
7 sentencing), shall provide for a sentence enhancement within its  
8 guidelines for an offense under 18 Pa.C.S. § 2719 (relating to  
9 drug delivery resulting in serious bodily injury).

10 Section 3. This act shall take effect in 60 days.